



PHENIX CITY

THE WICKEDEST CITY IN AMERICA

P H E N I X CITY

by
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and GENE WORTSMAN

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DEDICATION

*To people everywhere who fight
evil against odds.*

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EDWIN STRICKLAND and GENE WORTSMAN

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ON THE BANKS OF THE CHATTAHOOCHEE

PHENIX CITY, ALABAMA, is unlike any other city in the entire United States. Chicago has its Loop. New Orleans has its French Quarter. Kansas City, New York, El Paso, Miami, Newark, San Francisco, Biloxi all have their areas of evil. In Phenix City there was, until recently, no border between the good and the bad. It was all bad.

The downtown area was an unending series of night clubs, honky tonks, clip joints, B-girl bars, whorehouses, and gambling casinos. Every highway leading into the city was lined with the institutions, and they were scattered throughout the residential districts. You could climb a tall tree, spit in any direction, and where the wind wafted the splutter, there you would find organized crime, corruption, sex and human depravity.

No attempt was made to conceal illegal activities. The brightly lighted neons beckoned twenty-four hours a day, a block from the Courthouse and a block from City Hall.

Nobody, said fat-faced, quiet-talking Sheriff H. Ralph Mathews, Jr., complained to him. Lacking such objections, the good sheriff was unable to see that the law was being broken. He claimed to see no wrong in permitting the top commander of the gambling hierarchy, John Hoyt Shepherd, to conduct his widespread businesses from the sheriff's own office. Shepherd used the office as though it belonged to him, dispatching orders to his flunkies throughout Russell County, of which Phenix City is the county seat.

This close comradeship between the law-breakers and the men sworn to uphold the law was both brazen and bold. In other cities where payoffs flourish, the police maintain a front of righteous indignation when accused of protecting the racketeers. In Phenix City, lawmen, while denying payoffs, openly fraternized with the gangs.

Chief Deputy Sheriff Albert Fuller was hospitalized in July, 1954. One of his first visitors was Tommy (Dynamite) Capps, a lower echelon thug. Circuit Judge John B. Hicks was known to sun himself on the Courthouse steps, surrounded by members of the underworld regime.

Connections, like the tentacles of a giant octopus, reached into other counties as well as into the marbled halls of state office buildings in Montgomery, site of the capitol.

Nowhere was the relationship of gambler to public official closer than between Shepherd and the city clerk, Jimmie Putnam, a former plumber. The two owned a building in which the Steak House Café operated. Putnam sold his one-half interest in The Pines, a motel and restaurant near Opelika, Alabama, to Shepherd, for \$1 and other worthwhile considerations. Federal tax stamps indicated that these "other worthwhile considerations" amounted to \$14,000.

Here was a town where, in November, 1954, only one notice appeared on the outside bulletin board at the Courthouse. It was dated October 29, 1951, and signed by William E. Davis, then Collector of Internal Revenue for the State of Alabama. According to the notice, the Revenue Act of 1951 had changed some taxes and added others. The latter included:

"Wagering taxes—10% excise and an occupational tax on wagering."

Of 238 federal gambling stamps issued in Alabama the first year after the enactment of this tax, all but fifteen were purchased by persons in Phenix City.

A thread of cruelty and brutality which kept the citizens in a state of intimidation twined through the entire picture. Houses were burned or bombed, people were assaulted, gang warfare blazed on the streets. Individuals, once in the clutches of the law, could expect no mercy.

The case of Otis Lamb, a Negro youth, illustrates the manner in which police meted out justice. Otis and two companions, in October and November of 1953, burglarized two stores. In the first burglary they stole a pistol which Otis

used in the second to hold up a store manager. Otis was arrested and deputies demanded that he produce the weapon.

Otis got them a pistol all right. Here is his statement, obtained by Alabama National Guardsmen, in October, 1954, on just how it happened:

"I was beat so much while in the jail that I told them I would go to the home of my uncle and get the pistol," the statement read. "I was taken there, where I stole his pistol and gave it to them; it was a pistol similar to the one we actually used. Aaron Smith, John Pitts, Ben Scroggins, and Albert Fuller was all present when I was stripped of all my clothes, and beat with a big belt that had a silver dollar in the big end. Albert Fuller stood by with his pistol in his hand while I was being beat. I could not get back on the bed, and they called Dr. Floyd to the jail to see about me. Ben Scroggins did most of the whipping of me. A jail-break was rumored and Jailer Ben Clark beat me about this jail-break rumor."

Otis pleaded guilty to the crimes and was sentenced to six years. With the exception of Dr. Seth Floyd, a city commissioner, and Scroggins, an agent for the Alcohol Beverage Control Board of Alabama, the men present during Lamb's beating were all deputy sheriffs.

Another Negro accused Scroggins of lashing him and his small son, and said Scroggins returned later to offer him fifty dollars not to report the incident.

Soldiers were also subject to mistreatment. Two service men were arrested by Phenix City police on February 28, 1953. They were fined \$11.50 each, without a hearing and without being told what charges had been placed against them. One GI had one hundred and thirty-two dollars returned to him from his original hundred and fifty, while the second serviceman received only one dollar back out of twenty-one he had in his pocket when arrested.

Of all the illicit industries, lottery was the biggest money maker. Following came other forms of gambling, such as dice, slot machines, and poker. Prostitution and dope were

close behind. Illegal whisky and beer sales marked up huge profits.

Corrupt practices and payoffs could not be accurately measured, but they played a large part in the financial transactions of the community. So, too, did abortions and the sale of babies. Money paid for legal advice by the gamblers and crooks ran into thousands of dollars.

Beer sold for fifteen cents and sandwiches cost a nickel. Gambling started at one penny for lotteries and reached to the sky for a limit. Election votes were sold for a bottle of whisky, a promise of aid, a pat on the back, or cold cash, as high as one hundred dollars a vote. Anything that was against the law could be bought, borrowed, stolen, or otherwise obtained in this little city of 23,000 souls.

Women were on the market for ten dollars up, the price depending upon whether it was payday for the soldiers stationed across the Chattahoochee River at Fort Benning, Georgia. After paying his money a man never knew when a whorehouse pimp might try to toss him outside before he was finished.

Everyone who had dealings with the city seemed to know what was going on, except the officials who were paid to know.

A man who had trained as a paratrooper at Fort Benning returned to Phenix on his way to Florida. He visited the haunts he had known as a GI. He saw and heard the clack of the one-armed bandits, the shuffle of the cards, the roll of the dice, the laugh of the B-girls, the enticements of the prostitutes. He went down to City Hall and reported his findings.

The cops were flabbergasted. Here was a new and serious matter. They summoned Willis M. (Buddy) Jowers, the night chief who ran the department with the blessing of his uncle, Mayor Elmer Reese. The visitor told Jowers of his observations.

"Do you want to swear out a warrant against anybody?" Jowers asked.

"No, sir."

"You're sure of that?"

"Yes, sir. I just wanted to tell you what was going on."

Jowers turned to his officers and together they discussed the problem. Their decision was quick and firm. They jailed the inquiring visitor for drunkenness.

Even though a large percentage of the entire city's population was engaged in illegal activities, the actual volume of business was smaller than in a large city such as Chicago. Even the biggest wheels in Phenix could not match the estimated \$2,000,000 weekly Al Capone raked in from his corporations. But the take was amazingly large, hitting up to \$100,000,000 annually during World War II years.

Though the biggest net income on illegitimate enterprises for any one individual for any one year probably never totaled more than \$300,000 to \$500,000, several of the top dogs grossed much more. Careful, lawful investments by sharpies like Jimmy Matthews, number one team mate of Shepherd, greatly increased personal incomes.

Phenix City siphoned off about \$2,000,000 a month from Fort Benning. Extra money flowed in regularly from Alabama, Georgia, Florida and Mississippi. Big time gamblers caught planes to Phenix City to test their skill in the highly advertised 'Bama Club, where playing often was by appointment only.

Unlike larger cities which have grown famous through vice, Phenix City was no mecca for tourists. Nor did it attract conventions, or out-of-state buyers, shopping for large concerns. It depended on the nearby soldiers and transients, and drew on nearby states for people to play its lotteries, buy its dope, and patronize its back rooms.

When business was at its best, on paydays and week ends, the coalition functioned like a big corporation. Play-for-pay girls were imported from out-of-state, extra croupiers rolled the dice, whisky flowed like a mountain stream after a spring thundershower. The city even had its own factory for making marked cards and loaded dice.

But teen-agers had no place to eat and dance. A man had no place to drive his family on a pretty day, unless he crossed the river into Georgia or headed into the open country.

* * *

Phenix City was the only city in the state where liquor was sold from quart bottles. Every other city and county was forced to sell shots from miniatures, opened and poured in the presence of the customer. An extra profit was realized in serving from the quart bottles. The whisky could be diluted and the bartender could control the amount of whisky in each drink served.

No practice was too vile. Unconsumed beer was re-bottled and re-sold. Drinks were spiked. Customers were knocked on the head and their wallets lifted. House men would take all the coin a soldier had, at a crooked dice table, then direct the youth next door to a company-owned pawnshop where he could pick up a spot of cash for his boots, his watch, or his underwear. Inevitably the boy returned to the table to lose again. If a client got rowdy, a casino tough would toss him outside, usually into the waiting arms of the police who would book him for being drunk and disorderly.

The Chattahoochee River became a dumping ground for dead bodies, the kind with cement-encased feet. Killings went unsolved. Complaints from honest citizens went unheeded.

You'd have to search a long time to find a home with green grass growing in the front yard. Dirt roads could be located by a turn of the head. The city jail smelled like the garbage dump and the county jail smelled like the city jail.

Some citizens had a reply, when strangers asked why they tolerated conditions. The first thing the Pilgrims did upon landing at Plymouth Rock, they would explain, was to get down on their knees and pray. The second was to conduct a lottery and parcel out land on which each family would make its home. So lotteries, or gambling, was an old American custom and therefore permissible.

Certain city officials claimed the residents got the kind of government they wanted and that the city was supported by vice. Two points dispute this generalization. Any time a person expressed displeasure, the mob paid him a visit. And a check of city finances proved that gambling contributed only \$50,000 a year to the city's income from licenses and fines.

Another reason many residents failed to complain was that they were a part of the corruption. Any family, now in its second generation in Phenix City, stands a good chance of having had some member mixed up with the rowdy element. The father of one crime-fighter sold bootleg whisky. The parent of another ran a gambling house.

Crookedness was so widespread that Major General Walter J. (Crack) Hanna, Adjutant General of Alabama, upon throwing the National Guard into the county to clean it up in 1954, said that every law enforcement agency which had dealings with the area became tainted by the rottenness.

While Phenix City was recognized as a pesthole, few persons besides ranking bosses had any idea of how broad were its effects, how threatening to the rest of Alabama. This became apparent only after Albert Patterson, Democratic nominee for attorney general as "Man Against Crime," was cut down by assassins' bullets on June 18, 1954.

Four months later, after the National Guard had filled the jails with gamblers and crooks and after juries had sentenced dozens of citizens for law violations, county commissioners still were shaking their heads over the "unnecessary fuss."

"The National Guard came in here full of apprehensions," said one of them, Commissioner J. B. Parkman. "They had just heard a lot of propaganda. They carried their guns like they were waiting for a rabbit to jump. They could have done just as much good with those dusters like you use to brush your Sunday suit."

The gamblers, according to another commissioner, "were brought up in all this," and didn't know it was wrong.

The history of Phenix City is swathed in turbulence. Records indicate that one of the last battles of the War Between the States was fought on April 16, 1865, in an area then known as Girard in Russell County. Large sections of the community were burned by Wilson's Raiders. Girard united with the City of Brownville and in 1889 the combined region was renamed Phenix City after the legendary bird of Egyptian mythology which destroys itself every five hundred years and is born again from the ashes.

The land which Phenix City now occupies was part of the original State of Alabama when the state was founded on December 12, 1819. It is southeast of Birmingham, on the western bank of the muddy Chattahoochee River which separates it from Columbus, Georgia. Part of the county was in neighboring Lee County where it remained from 1866 until September 30, 1932, when the land was returned to Russell County. Nobody wanted it.

Russell County was the last permanent home of the Creek Indian Nation. That section once known as Girard acquired the unofficial name "Sodom" because it became a refuge for a lawless element.

Numerous engagements occurred between unfriendly Indians and determined, aggressive white settlers. Whites would massacre Indians and the red men would retaliate with fierce reprisals. When the county was named, it was for a famous Indian fighter, Colonel Gilbert Christian Russell.

From the date of its founding in 1932, modern Phenix City has been clutched in the hands of the same few families. Dr. Ashby Floyd was on the first five-member city council and his son, Dr. Seth Floyd, has followed in his footsteps. Homer D. Cobb, Sr., an original member, ruled the city with an iron hand during his term as mayor. His son, Homer, Jr., is not a commissioner but has recently been named to the hospital board. C. L. Gullatt preceded his son, A. L. Gullatt, on the ruling junta. Dr. Clyde M. Knowles, Jr., who won his seat as an anti-machine candidate in 1954, is the son of a former commission member. The fifth man on

the original council was I. I. Moses, now an insurance man.

This is a book on what made Phenix City tick; how ambitious, unscrupulous gangsters and politicians plotted to seize control of the entire State of Alabama; how they ran their empire; and how the Alabama National Guard, with the aid of conscientious citizens both private and public, cleaned out the crooks for a brief spell.

The book is more concerned with Phenix City as it was before the clean-up, rather than with the various phases and accomplishments of the scrubbing itself. For this reason, the yeoman work of such men as Circuit Judge Walter B. Jones, Montgomery; Solicitors George C. Johnson of Athens, Conrad Fowler of Columbiana, Julian Bland of Cullman, and James H. Caldwell of Phenix City, and the new Attorney General, John Patterson, is largely omitted. Much of the information presented comes from top-secret files, never before revealed.

The filth which made Phenix the wickedest city in America began to decompose on June 18, 1954, a few minutes after 9 p.m. At that moment, Albert Patterson, was shot and killed.

THE BOOMERANG

IT WAS A SULTRY NIGHT when a man's shirt felt like an overcoat. The gaudy neons along Phenix City's Fourteenth Street vice strip flashed their customary lurid invitations.

In his law office, where he had fought so many battles, a tired man whipped up his remaining energies for a last round fight that he knew he must win.

Only eighteen days earlier Albert Patterson had been nominated on the Democratic ticket as Attorney General of Alabama with a margin of less than fifteen hundred votes. He had campaigned as "Man Against Crime," particularly the crime which, he declared, was rampant in his own home town.

Now those criminals whom his triumph endangered were moving quickly to throw his victory at the polls before the State Democratic Executive Committee, where they hoped to have the outcome reversed.

Because he lived with them, Patterson was one of the few men in the state who knew the ruthlessness of the crime machine he had battled. He was aware that the machine now was desperate and was convinced he was living on borrowed time.

Two days earlier he had predicted his death at a luncheon speech to a group of women. Without any attempt at grandstanding, he told them that he had only a hundred-to-one chance of becoming Attorney General, and he added that the gangsters could not afford to let him take office.

Yet Patterson sat alone that night of June 18, 1954. He had returned late from a trip to Montgomery and went right to his office to finish signing "thank you" letters to his supporters. Sixty years old, he was tired from the two months' campaign. His money was all gone. He was eleven thousand dollars in debt. He didn't know where to find additional

funds if his election should be taken before the State Committee.

At 9 p.m., he picked up his cane, which he used because of a World War I leg injury, and clumped slowly down the stairs to the street. His figure was outlined briefly under a street light as he turned the corner of the building to where his car was parked in an alley. Several persons, entering or leaving two nearby restaurants and a movie house, recognized the town's most prominent citizen.

A moment later four pistol shots crashed in rapid succession, and the crippled crime-fighter staggered from his car. For the first time since 1918 he walked without his cane. He walked fifteen steps with a bullet in his brain and two more in his chest before he fell, face-down on the pavement, at the bottom of the stairs leading to his office.

He tried to speak to a youth who rushed to him. He strangled on his own blood and died without identifying his killer.

Ross Gibson, a night cook in Smitty's Cafe, was getting into his car forty yards away from the killing in the alley when he heard the shots. He looked up to see a man dash from the scene, run across the rear of a wooded lot and disappear at Fourteenth Street, beside the post office.

Gibson described the man for officers, but said he would not be able to recognize him again.

Within minutes after Patterson fell on the sidewalk, the street was filled with onlookers who trampled over the scene, wiping out any possibility of getting footprints of the killer. Local police officers and deputy sheriffs pawed over the car. An hour later Police Chief Pal M. Daniel ordered the area roped off to keep reporters and photographers from the scene.

The word of Patterson's assassination flashed over the state with the effect of an electric shock. People who had voted against him joined with his political supporters and friends to demand quick apprehension of the killer.

The state's chief criminal investigator, Joe Smelley, was

rushed to the scene with a few quickly selected men and Highway Patrol officers. There was much buzzing around the scene. For days there appeared no direction in the probe; views of investigating officers differed; one group would make an arrest—or, *so they said*—without notifying other investigators, but the Highway Patrol, the sheriff's office, and the city police all admitted they were not getting anywhere.

Arch B. Ferrell, machine-elected solicitor, and Albert Fuller, gun-swinging deputy sheriff, gave only lip service to the investigation. They hardly blinked when the dead man's son, John Patterson, charged that the men leading the investigation were the most likely suspects.

The challenge did taunt Ferrell into issuing a statement on June 24.

"Since first learning of this horrible murder," he declared, "I have sought and received the active assistance of every official investigator known to me, and have cooperated with them to the utmost limits of my physical and mental endurance. I shall continue to do so, unceasingly, until this dirty, brutal, shocking killing has been fully and finally solved."

The day following this statement, Ferrell was removed from the case by Acting Attorney General Bernard F. Sykes.

John Patterson's charge was based on known facts. He knew that Fuller was a three-hundred-dollar-a-month deputy who flashed \$1,000 bills, who possessed an arsenal of guns, who wore expensive clothes, who had killed men "in line of duty" under suspicious circumstances (as detailed in another chapter), and who—on the night of the Patterson murder—had come to the scene without his own pistol. This was the first time in years that Fuller, the pistol-worshiper, had not packed a rod.

Patterson knew that Ferrell had opposed his father actively, had fraternized with the gambling clique, had overlooked gambling and crime in the community for years, and stood to lose his law license, his post of solicitor, and his place of influence in the county should Patterson ever go into office.

Before Sykes took over the investigation on June 25, Attorney General Silas Garrett, Sykes' superior, came to Phenix City. He talked loud and swaggered about the courthouse, his Texas-style hat bobbing above the crowd of onlookers. Garrett said he had three theories of the killing but did not expound any of them to listeners.

Garrett furnished Ferrell an alibi—saying he had been talking long distance to the solicitor at the time of the murder. Then a report was issued—and never denied—that Ferrell had given his gun to Garrett.

At a press conference, Garrett boasted that he had spearheaded Patterson's opposition. Ferrell, swigging liquor, declared of Patterson, "I always hated the son-of-a-bitch."

The fast-talking Garrett promised to take personal charge of the investigation and said he would not quit until the killer was arrested. He defended Ferrell as the "best damn" solicitor in the state," and said he would not remove him even if ordered to do so by the Governor or the Supreme Court.

Garrett's pursuit of the murderer or murderers was even more shortlived than Ferrell's. On June 23, he departed the state to rest from what he described as his ordeal in the investigation.

Sykes had not wanted the job as head of the probe. Governor Gordon Persons and State Supreme Court Chief Justice J. Ed Livingston prevailed upon him to take it, and to become Acting Attorney General.

Sykes set up headquarters in the Ralston Hotel in Columbus, Georgia, across the river from Phenix City. His constant associates were Assistant Attorney Generals Lee Barton and Maury Smith, later joined by Montgomery attorney MacDonald Gallion, as Governor Persons' personal representative.

A team of officers now began fanning out from headquarters, through both Phenix City and Columbus, through Alabama, into Florida, Georgia, Tennessee, Texas, North and South Carolina, Kentucky, New Mexico, and other states tracking down clues and persons thought to be witnesses. A

lie detector machine was rushed into Columbus and numerous persons were tested on it. Witnesses were jailed, frequently for their own protection. A crew of stenographers and file clerks set up a voluminous set of records, interviews, and background information.

On July 6, Sykes in effect removed Ferrell from the office of solicitor, though Ferrell continued to draw his salary. Sykes assigned Ferrell to write a full report on his activities in the murder investigation. That report never was finished—if it ever was started.

And two days later Ferrell was questioned for ten hours about the killing, then told to return to his report. Deputy Fuller, at this time, was in bed with a fractured back, having been tossed from a horse on Independence Day.

But the work of the investigators, including the jailing of witnesses, was hush-hush. Sykes revealed no information. No suspects were arrested. Ferrell, Fuller, and Garrett were permitted to remain at large. Smelley remained in Phenix City, but his reputation was not helped when news stories revealed that in 1952 he had testified in court that he knew of no gambling in Russell County.

On July 16, Smelley was recalled to his regular duties in Montgomery, grumbling that he was being "made the goat."

National Guardsmen had moved into Phenix City the morning after Patterson was slain. Under Major General Walter J. (Crack) Hanna, they became convinced that the greatest cover-up in Alabama history was being pulled right in their presence. They were powerless to stop it, however, unless the Governor would declare martial law.

General Hanna repeatedly urged the Governor to give him authority to move in with the troops and to replace local law enforcement officers. A Grand Jury in Birmingham, which had been investigating vote fraud, discovered a tie-in with Phenix City and it, too, jumped on the Governor to take more positive action in Patterson's town. Newspapers and private citizens constantly needled the chief executive

on the matter until, on July 22, he declared qualified martial rule.

This operation proved of great significance in the murder search. It ripped aside a curtain of fear which had kept many lips sealed. As the new testimony unfolded, some of the biggest underworld figures disappeared, along with dozens of the small fry.

Little by little, investigators pieced together the last moments of Albert Patterson's life, but it wasn't easy. Testimony conflicted and in some cases there was suspicion that false information was given the probers deliberately.

National Guardsmen raided the home of bed-ridden Deputy Fuller on July 27, where they seized a small arsenal of weapons. On that same day, Governor Persons flew to Washington for conferences with President Eisenhower, the Federal Bureau of Investigation, and Major General Wilton (Jerry) Persons, a top presidential aide.

The FBI announced it could not take part in the Phenix City mess. It needed proof that some federal law had been violated and no proof of any such violations was produced. The murder itself appeared to be a state matter with no federal statutes involved.

Sykes moved his headquarters to rooms in the Coulter Building down the hall from those occupied by the late Albert Patterson.

Each morning, as the hot summer turned into fall, Sykes and his staff parked their cars in the alley where Patterson was shot. They strode to their work over the spot where Patterson's blood had been scrubbed from the sidewalk. Sykes remained confident that the murder would be solved, but cautious as to when.

Witnesses were located who had seen the action in various stages. As the pieces of the jigsaw puzzle fell into place, it became clear that Patterson in his last days had become a man greatly feared by the Phenix City underworld. Here was a hierarchy which had ruled its affairs almost unmolested for decades until this man Patterson came along and threat-

ened to bust up the premises. He had to be stopped, legally or otherwise.

The office of Alabama Attorney General is that of the chief law enforcement officer of the state. He can remove solicitors—the job Ferrell had—and take over grand juries. He can go into any county and investigate any conditions he desires.

With such power at Patterson's disposal, Phenix City gamblers and corrupt politicians could well imagine that he would deal them four years of misery. Attorney General Garrett, aligned with the Phenix City syndicate politically, wanted his own regime to be continued and, since he could not seek re-election, he had fought Patterson with a Gadsden attorney named Lee Porter.

The motive for murder was there. The task became to find out who had triggered the gun.

That brought the state to the question of who was doing what at the time of the murder. Garrett, who was in Birmingham, claimed he was talking with Ferrell on the telephone. Fuller said he was in the county jail with Sheriff H. Ralph Mathews and other officers.

But there were witnesses who said they had seen Fuller and Ferrell walk to the Coulter Building where Patterson was working.

As November passed the midway mark, there was a growing impatience throughout the state to bring the killers to justice. Newspapers began suggesting that perhaps all was not being done that could be done. The cost of the investigation and maintaining National Guardsmen in Phenix City was a heavy drain on the state's special funds.

A meeting was called in Montgomery on November 1. Present were the Governor, Supreme Court Justice Livingston, and John Patterson, nominated as Attorney General in place of his father. It was decided that Sykes and his investigators would be allowed two weeks more before further steps would be taken.

In late November, the Russell Grand Jury was called back

into session to receive the evidence of the Patterson murder. For two weeks they heard witnesses.

Then the state got a severe setback. On November 29, the state carried its star witness, Johnny Frank Griffin, before the Grand Jury. Griffin testified that he saw Fuller talking to Patterson in front of the Coulter Building, and walked by them. He said Fuller and Patterson walked together to Patterson's car a few steps away, and a second man approached the car. Then the shots rang out and Patterson staggered from the car, blood covering his face.

The night after Griffin testified, he was dead. His throat was cut as he walked only several blocks from the Courthouse. A Negro youth was arrested and charged with the murder. He said Griffin had "started trouble" and he had killed him. State investigators were not satisfied with the story, but it was backed up by an ex-stripper who had once worked at "Ma" Beachie's Swing Club. Officers could not break the youth's story, which was labeled by John Patterson as "one of those weird coincidences that could happen only in Phenix City."

On December 9, 1954, the Grand Jury returned murder indictments against Ferrell, Fuller and Garrett. Fuller and Ferrell were arrested immediately, and a fugitive warrant was issued for Garrett, who was in a mental hospital in Galveston, Texas.

Because the state did not want to reveal its hand in a habeas corpus proceeding, it was agreed that the former solicitor and the ex-deputy sheriff would be allowed bail of twelve thousand five hundred dollars each.

At this point, Special Solicitor George C. Johnson, of Athens, who had done such a magnificent job with the trial of the vice cases, and who had convicted Fuller on bribery charges, pulled out of the picture to resume his duties in his own circuit. Judge Walter B. Jones, of Montgomery, who had organized the Grand Jury and later sentenced most of the racketeers caught up in the cleanup drive to prison terms,

asked to be relieved to return to his duties, which had piled high in his months away from his regular court duties.

The state was faced with the problem of obtaining a top trial solicitor to replace Johnson, and another judge to preside at the murder trials.

John Patterson became Attorney General for the state on January 18, and James E. Folsom became governor on the same day. Folsom immediately replaced General Hanna with Colonel William D. Partlow, of Tuscaloosa, and the National Guard was ordered out of Phenix City, and the town placed back on limits to military personnel from Fort Benning.

Patterson contacted Jefferson County Solicitor Emmett Perry, in Birmingham, who had sparked the vote fraud investigations there. Perry agreed to release one of his crack deputies to work with Patterson and his staff in the prosecutions. The man assigned was Cecil M. Deason, a Navy Commander during World War II, and one of the state's best trial attorneys.

Chief Justice Livingston named Circuit Judge J. Russell McElroy, from Jefferson County, to preside at the trial. Judge McElroy, presiding judge of the state's largest circuit, was a veteran of twenty-seven years on the bench, though still in his middle fifties. He was a keen student of law, having written a standard textbook on evidence.

Judge McElroy met with the Attorney General's staff and with defense attorneys in Montgomery in late January, and granted a defense motion to remove the trials to Jefferson County because the defendants claimed they could not get fair trials in Phenix City.

Trial date was set for February 14, and the state elected to put Fuller to trial first.

Prosecutor Deason, aided by three Assistant Attorney Generals Bernard Sykes, MacDonald Gallion and Lee Barton, and by Russell County's new solicitor, James Caldwell, faced in the trial one of the best known defense attorneys in the business. Roderick Beddow, of Birmingham, predicted he would make a shambles of the state's case. He was assisted

by his law partner, Robert W. Gwin, his son, Roderick Beddow, Jr., and Phenix City Attorney V. Cecil Curtis.

For two weeks the state built its case. Prosecutor Deason produced an expert from the Federal Bureau of Identification to testify that fingerprints taken from Patterson's car belonged to Fuller. Then he produced State Toxicologist Wendell L. Sowell, and State Investigator Willie B. Painter to testify Fuller had told them he never touched the car.

Building his case carefully, Deason called to the stand a former Phenix City policeman, Walter Sanders, who testified he had seen Fuller leave a cafe in the car with a big, cigar-smoking man, and drive in the direction of the scene a few minutes before the shooting.

Fuller had denied being near the scene before the murder, and said he was at home at the time Sanders swore Fuller left the eatery.

Sanders also told of finding a footprint near the scene and showing it to Fuller shortly after the murder. He and Fuller placed a board over the print to protect it, he said, but when he went back to the print with state investigators later it had been altered.

A former taxicab driver, Bill Littleton, was brought to the witness stand from Kilby Prison to testify that he had driven by the Coulter Building ten minutes before the shooting and had seen Fuller and Ferrell there. Littleton had been convicted of manslaughter during the vice cleanup and was serving an eighteen months sentence.

Next to the stand came a Columbus taxicab driver, James Radius Taylor, who dropped the first explosive testimony in the trial. He said he had stopped for a traffic light, near the Coulter Building, when he heard the shots. As he moved away from the light, he said, he saw Fuller dash from the shadow and into an automobile in which a man was waiting. The car roared west on Fourteenth Street, through red traffic signals, and disappeared. The witness said he had known Fuller for many years, and the defense could not shake his testimony, though they tried to discredit him with character witnesses.

Quinny Kelley, a janitor at the Courthouse in Phenix City, testified for the state. He said he heard the shots as he was closing the building. His watch showed the time as 9:05 P.M. Kelley said he walked to the front of the building and saw Ferrell "half walking and half running" down the sidewalk in front of the U. S. Postoffice, which adjoined the Coulter Building.

But the state still had its ace to play. That came in the "surprise testimony" of a thirty-year-old carpenter, Cecil Padgett. Padgett testified that he was walking in the direction of the Coulter Building about 9 P.M. on the night of June 18, 1954, when he saw Patterson and Fuller engaged in conversation in front of the Coulter Building.

As Padgett crossed the street toward where his wife waited in a car, he said, the shots rang out only a few steps away. He turned to see Fuller and a man he believed to be Ferrell beside Patterson's car.

The defense spent days trying to break Padgett's testimony, pointing out that he had not appeared before the Grand Jury and had not told his story until three weeks before the trial. The new Russell County Sheriff, Lamar Murphy, had continued his quiet work on the case and had come up with Padgett, a witness who made up for the state's loss of Griffin.

After nearly four weeks of the most sensational and bitterly fought trial in Alabama history, the jury got the case. About twenty hours later, on March 9, 1955, the verdict was read: "We, the Jury, find the defendant, Albert Fuller, guilty of Murder in the first degree, as charged in the indictment, and fix his punishment at life imprisonment."

Ferrell fared better before the Birmingham jury. On May 5, 1955, he was acquitted of the charge of killing Patterson. His defense was led by Attorneys George Rogers and Drew Redden.

Garrett is still in the mental institution at Galveston, Texas, but will face extradition when, and if, he is released.

Fuller's alibi, supported by two state officers as well as Sheriff Mathews and others, was broken by the state when

it was shown that the testimony of alibi witnesses was not consistent in time elements. The state contended that Fuller did not go to the County Jail until after the murder, and that he sped away from the scene, circled left and approached the jail from the rear three minutes after the shooting.

Ferrell's alibi that he was on the telephone with Garrett, was not supported by Garrett, who did not testify.

There is no denial of the fact that Garrett was in a Birmingham hotel, a hundred fifty miles from Phenix City, at the time of the murder. Garrett had appeared that day before the Jefferson County Grand Jury which later indicted him for vote stealing. The state indicted Garrett for murder on the theory of law that one who conspires with another to commit a felony is equally guilty with the one who actually perpetrated the act. What Ferrell's acquittal will do to the murder charge against Garrett, has not been determined, but it is sure to weaken the case if it has not destroyed it.

Patterson's relation to the mob, as a citizen of Phenix, was odd. At times he assisted individuals connected with it; on occasion he fought it. He had fought it since 1951, and was battling the scum for all he was worth in 1954, convinced it had to be destroyed before it destroyed the state.

When Patterson ran for the State Senate in 1946, he was opposed by the machine. Four years later, as a candidate for Lieutenant Governor, the clique backed him in return for his support of machine aspirants in local races. In the 1950 election, Sheriff Mathews personally solicited the aid of every other sheriff in the state for Patterson. The tide had flowed out once more when Patterson ran as a delegate to the 1952 Democratic National Convention with machine opposition. The big problem was that the machine—and practically no one else for that matter—never knew exactly where Patterson stood. He essentially was a "loner" who worked in his own strange ways to obtain his objectives.

Patterson represented members of the machine as an attorney in years prior to 1950, but the machine never controlled him. When he set out to destroy the racket forces

which held his city in an iron grip, he became a much feared man by the mobsters who knew his dogged tenacity.

The shots that killed Patterson boomeranged. In death, "The Man Against Crime" focused the nationwide spotlight on the forces in Phenix City that he had set out to destroy. And they paid, as did he.

III

THE SEX MARKET

FOR A GOOD TIME in a hurry there was no place like Phenix. For the thousands of soldiers from Fort Benning who made the trip across the Chattahoochee River, to Phenix, a good time was synonymous with women.

Few places in the United States could offer the lonesome soldier or well-heeled civilian the choice of female companionship he could find in Alabama's bedroom city.

During the period from 1945 to 1954 there were over a thousand prostitutes plying their trade in Phenix City and its immediate environs. This figure was verified by National Guard investigators from work records seized in the various assignation houses after military rule was clamped on.

One of the most notorious of these houses was Cliff's Fish Camp, or Highway 80 Fish Camp, operated by Cliff Entrekin. The Camp featured a small place in the front for serving catfish and hush puppies—a treasured southern dish—and an upstairs compartment which catered to another kind of trade.

Entrekin's Camp was located about six miles west of the city limits of Phenix City, on the highway to Montgomery, the capital of Alabama. It was constructed of plain unpainted concrete blocks.

Entrekin was first and last a business man. He garnered from eighty to one hundred thousand dollars a year from the efforts of the girls who worked for him. His was considered one of the high class houses in that area, where commercial sex could be found at price ranges to fit the individual pocketbook.

The Fish Camp did not cater to the shirt-sleeve trade. The minimum for a date was ten dollars, and the going price for a "straight date" was calculated on the basis of one dollar per minute which the customer spent behind closed doors with the girl of his choice.

Most of the patrons of the camp were officers and enlisted

men from Fort Benning, though many of them could afford no more than one or two trips a month to this mecca of pleasure. On the nights that soldiers were paid at Benning, business at the Fish Camp was so rushing that girls had to be booked in from the syndicate. The syndicate was a highly organized prostitution ring which operated in a circuit that included Miami, Jacksonville, Savannah, New Orleans and Phenix City. It employed only young, beautiful girls, usually ranging in age from seventeen to twenty-three.

The capacity of the Fish Camp was twenty-four girls at a time. But when business was rushing, tables with mattresses on them were pressed into service and on some occasions a large dwelling house about a mile from the Camp was adopted as emergency quarters. The house was used at other times when, for any reason, the heat was on at the Camp.

When a customer went through the door at the back of the restaurant he found himself confronted by a husky bouncer whose job it was to keep order and to hold the watch on the customers. A signal from the house-man would bring all the unoccupied girls to the doorways of their respective rooms, where the buyer could make his choice.

Although the minimum was ten dollars, the customer was charged additionally for each minute over time and no customer was allowed more than thirty minutes. However, if a half-hour was contracted for ahead of time, a special rate of twenty-five dollars was offered. For her part, the lady uncovered only that portion of her body specified on the contract. It cost extra for the female to disrobe completely.

In addition to the "straight dates," special customers could obtain special services, which were paid for at rates of two and one-half times the regular tab. Work records on the girls showed that one such specialist earned eight hundred dollars in a single night, which she split fifty-fifty with the house. That was the regular division. The house got half of the earnings of each girl, and the girl contributed an additional ten per cent of her take for "overhead" operations.

The girls worked under strict house rules, and for any

infraction of discipline, definite fines were imposed. The rules were posted for all to see, and Guardsmen found them still tacked to the walls when they raided the Fish Camp two months after the lid was clamped down on the notorious sin city. These rules prescribed a fifty dollar fine for drinking on the job; up to one hundred dollars for being late or for staying away from work without adequate excuse. Girls were not allowed to leave the premises during working hours without special permission, and the house had an iron-clad rule against the husband of any girl being at the establishment while his wife was working.

Strange as it seems, husbands often brought their wives to work at the sex-camp and picked them up after their shifts were over. In some instances, the girls had families in addition to a husband, and sometimes traveled in expensive trailers pulled by equally expensive automobiles.

The syndicate girls, or "circuit riders" as they were sometimes called, worked the Camp on special order. Of the approximately one hundred and fifty known prostitutes who worked the Phenix City territory at a given time, about thirty-five were members of the syndicate's stable.

The proven veteran wasn't the only kind of employee Entrekin hired. A twelve year old girl from Langdale, Alabama, was taught the fundamentals of the trade at Cliff's after a business associate brought her into the brothel. (This child was subsequently jailed briefly, the house having been notified early in the evening that a raid was pending, and the girls would have to remain for a short time in the lockup.)

A girl who eventually became one of Cliff's most sought after employees first went to the Fish Camp with her parents to eat, not knowing what occurred behind the closed doors.

"My first customer I had was a sergeant that Cliff brought over to me, and Cliff told the sergeant that I was a new girl and the sergeant replied that I was what he wanted," the girl related. "I went in the room with the sergeant and started to have an intercourse, when I started crying and got up and went out and sat on a bench the rest of the night. Cliff came

out and talked to me and told me that I would get used to it. After the second night working there," she added, somewhat poignantly, "it was not too hard on me."

When bullets from the gun of a lurking assassin blasted out the life of Albert L. Patterson just seventeen days after he had won nomination as state Attorney General, the syndicate was first to sense the full implication. Within two days the word had been passed down and the syndicate girls, along with scores of independent operators, began the trek across the river to Columbus. The syndicate members left by train, bus and plane for new assignments somewhere along the circuit. The other prostitutes began competing for business in Columbus or made connections in nearby towns and cities in Georgia and Alabama. Some of them stopped in Aiken, S. C., site of the U. S. Government's huge hydrogen bomb plant.

Catering to a high paying clientele, the Fish Camp felt obliged to offer the best merchandise that could be obtained. The girls were recruited from cities and hamlets over an area of five states and a "talent scout" devoted full time to the job of finding and obtaining new girls. Some of the methods employed will be discussed more fully in the chapter on B-girls, since many of these stepped over the borderline from that profession into prostitution.

The Fish Camp was perhaps the best organized and managed establishment in the Phenix City environs, which offered sex for cash, but there were many others at different levels. There was the Little Uchee Fish Camp, about twelve miles south of the city, which rivaled Cliff's both in the volume of business and in the quality of entertainment offered. It was operated at one time by Ernest Youngblood and "Heavy" Daugherty.

The Little Uchee, named after a creek that honed its way through the rocks nearby, catered to the heavy cash trade, but prices were not so high as at Cliff's. House rules were not so strict or well defined, but nevertheless the girls who worked for even a week around Phenix City knew that Daugherty and Youngblood were not characters to be trifled with.

In addition to catfish and sex, Little Uchee offered various

forms of gambling to its customers, and those in the know reported that a fellow also could get a "lift" with the needle or a pill.

Human depravity in its lowest forms could find expression and outlet at Hill Top House, also located about twelve miles south of Phenix on the Sandfort Road. It was run by Wilson McVey, and catered to the five dollar per date trade. It was almost always "off-limits" to military personnel, but soldiers by the score frequented the house in civilian clothes and sometimes in uniform.

Perhaps Army authorities at Benning could be blamed in part for vice conditions in Phenix, but it should be said in their behalf that most of the prostitution houses were "off limits," even though there was no strict enforcement of the ban. Since the houses were widely scattered, the military police and men of the Army's Criminal Investigation Division would have been hard pressed to have kept amorous soldiers from throwing away their pay in the flesh pots of Russell County. On pay days at the Army camp, soldiers by the thousands poured across the river by automobile, bus, and taxicab for a night of revelry which too often ended with many of them returning to camp broke, drugged, and beaten almost beyond recognition by thick-armed bouncers who used small lengths of chain wrapped with tape to subdue anyone who dared to make an issue of prices or who squawked too loud about the methods some of the joints used to separate him from his money.

The collection of vicious, hand-made weapons, as well as rifles and pistols, which guardsmen seized in raids on the sin dives of Phenix, would fill a small arsenal. In addition to chains, cut in lengths of about fourteen inches, guardsmen collected a basketful of metal "knucks," some of which had spikes on them to add to the devastation they could wreck on the face of the victim. There were lead-filled palm-slappers and black-jacks made of stiff springs, one end filled with babbitt.

The Hill Top House was one of the places noted for the

beating of soldiers and "muggings." And the brutality was not always confined to customers.

Any girl who got too far out of line might find her features changed by Tommy Capps, near-sighted bouncer, or one of the other thugs on McVey's payroll. Even more dreaded by some of the girls than the facial massage, was the work-over several received where it wouldn't show. A kick in the stomach can put a "working girl" out of business for a long time in addition to spoiling an evening.

Hill Top House, also called the House on the Hill, was at one time the largest of the bordellos. Business became so rich in its heyday that a two-car garage was converted into a four bed make-do adjunct. Still insufficient to accommodate the crowds, facilities were broadened. This time, a mesh wire rabbit hutch was converted; the rabbits being removed so humans could do what, in Phenix City, rabbits didn't do any better. The McVey gang ate the rabbits.

McVey was cruel and this very cruelty reacted against him and in time he was no longer at the top of the heap. Before his fall, he once beat a girl with his fists and elbows. He pistol whipped a GI with a .38 revolver, and a cab driver who was helping McVey flayed at the victim with a blackjack. A second cabbie, rushing into the fray, calculated wrong and arrived just in time to receive a wallop in the eye from his buddy.

The most inhuman thing McVey did was to get a big butcher's knife after a customer who hadn't finished with his broad and who refused to leave until he had. McVey and his boys began forcing the man outside, but the customer fought back. Leaving the fight to get the knife, McVey returned and took one vicious swing. The blade lopped off the man's fingers.

Hill Top House was the jumping off place. It was for transients, the down and outers, the low class. Though unsanitary and weedy, even by Phenix City standards, it could not begin to rival in those respects another establishment operated by McVey. This was known as The Social Club,

and was a couple of miles closer to the city than Hill Top House.

The only thing social about The Social Club was the four small cubicles in the rear of the two-by-four "club." Each provided barely enough room for a filthy, sway-bellied bed on which the girls entertained.

For everything bad in Phenix, it was always possible to find something worse. Even The Social Club was higher in scale than the Georgia-Alabama Game Club. Ownership or management of the "club" was obscure, but it was located on property belonging to Harry LaRue. It was hidden in a thickly wooded area several miles from Phenix, and could be reached only by a winding, dusty road.

Guardsmen, led by Major General Walter J. (Crack) Hanna, came upon the place while searching for a cache of gambling devices which LaRue himself had tipped them about. LaRue met the Guardsmen at the highway intersecting the dirt road. They knew only that they were to meet a man in a white jeep who would lead them to where some slot machines were concealed. LaRue and his wife were in the jeep, and Guardsmen followed them to their home, where LaRue surrendered two slot machines.

Unsatisfied with the find, General Hanna ordered a thorough search of the area and they soon found a large, metal building a half-mile behind LaRue's home. LaRue was brought to the scene and led the search party inside.

A sign outside bore the name of the Georgia-Alabama Game Club and advised that cock fighting was going on at the location.

Inside, the Guardsmen found a smooth, walled-in area for pitting fighting cocks, and bleacher seats around the ring for the spectators. There were slot machines and other gambling devices, a bar and drink stand and a place where sandwiches could be purchased. But what puzzled Guardsmen most was a series of small cubicles around the sides of the building, so low that a person had to bend over to crawl inside. There were no water or sanitary facilities, but piled in a corner were

several filthy bunk mattresses which showed they had been used on the dirt floor of the crawl-in rooms.

Veteran Army officers, whose combined experience covered most of the face of the globe, agreed that they had never seen more sordid facilities for dispensing sexual satisfaction.

All of the places mentioned so far were located outside of the police jurisdiction of Phenix City, but all were a part and parcel of the Phenix City atmosphere and influence. Inside Phenix City proper there were scores of prostitution contact points and many places where facilities were provided for customers on the premises.

The largest prostitution operation in the city was centered at The 431 Club, partially owned by red-haired Rudene Smith, who, incidentally, was the only woman ever to occupy any position of real authority or influence in the B-girl and prostitution setup. She rose from a seven dollar a week counter girl, so the story goes, to be half owner of The 431 Club, The Silver Slipper Café and the Circle Motel.

The latter was just across the road from The 431 Club, and National Guard investigators reported they found rental turnover to run as high as twenty times in a single night. In addition to operating several businesses, all geared to the fleecing of soldiers, Rudene also found time to recruit new female talent on her own. She was one of the three or four women to be caught in the gigantic vice cleanup net spread by Guardsmen. One of the charges against her was for the alleged enticing of girls into prostitution.

To explain why so few women were charged with any offense growing out of the Phenix City vice cleanup, it should be pointed out that General Hanna, early in the investigation, announced that he was not seeking to prosecute the individual prostitute or B-girl, but was after the ring-leaders, whether male or female. In pursuance of this policy, about one hundred girls were picked up, or volunteered for questioning by the investigators. Some of them were held in jail for periods ranging up to a week but almost all of them were

released without charges. Many of the girls assisted the cleanup by giving valuable information on undercover operations around and in Phenix City.

Some of the girls were held in jail at times for protection and were afforded the additional safeguard of having their identity kept secret when they were taken before the special Grand Jury to testify. This was made possible by the cooperation of the newspapers and wire services covering the story. All agreed to withhold names and pictures where the safety of the witness might be at stake. Grand Jury Foreman Cloyd Tillery made the request of reporters after the Grand Jury had found that a curtain of fear was causing many witnesses to hold back information or to hide out to keep from being questioned.

While most of the so-called cafés clustered on the Alabama side of the Chattahoochee River at the Fourteenth-Street Bridge were little more than dope and gambling dives, and prostitution contact points, the operations of these places will be discussed fully in chapters dealing with gambling and B-girl rackets.

But no discussion of prostitution in Phenix would be complete without mention of a place known as The Square Dance Club, at the time of the vice crackdown. Under different management at various times, the club was known for years as the French Casino, and was one of the hottest spots in a town that sizzled from border to border from the heat and passion generated in its half a hundred sex dives and clip joints.

For sheer brazenness, the French Casino or Square Dance Club could not be topped. In flashing neon on each side of the club it advertised "GIRLS." In a glass-enclosed space in front of the club were posted the pictures of scores of scantily clad hustlers. The glamor pictures were changed from time to time as new bodies were brought into the merchandise mart under the guise of entertainers. The Casino, or Square Dance Club, was one of the spots where it was an even money bet an unattached male could not get from the front door to the

middle of the dimly-lighted room without being approached by one of the house-girls. The same thing was true in almost all of the cafés which served little food but much drink and entertainment, along with the occasional "knock-out drops" for the unwary customer who was foolish enough to flash a heavy wallet or pay for drinks with a large bill.

To attempt to list all of the prostitution contact places in a city where sex was one of the main industries, would amount, almost, to listing a business directory of the town. Places like "Ma" Beachie's Swing Club, which is known all over the world, through having entertained perhaps a million soldiers from the beginning of World War II, until the day the guardsmen marched in, will be treated elsewhere in this book.

From records examined by guardsmen and investigators, it appeared that prostitution in Phenix City and the outlying areas amounted to a one to two million dollar a year business, with the highest point being reached during war years when Benning maintained a complement of eighty thousand officers and men. There were many briar patch operators, and it would be impossible to estimate with any degree of accuracy just how many girls practiced the world's oldest profession on their own, or with the aid of a pimp to drum up business. Guard investigators made public the names of five persons they listed as the bosses, or ring-leaders of prostitution.

On that list were Rudene Smith, R. W. (Heavy) Daugherty, Ernest Youngblood, Entrekin and H. C. Edwards. Not one of the five ever made any public denial of the charge.

In Phenix, as in any other city where crime, vice and gambling are major industries, the operators must pay off to law enforcement officers and other officials for the privilege of operating unmolested. The payoffs ran heavy in Phenix, with both the sheriff's office and the police force demanding substantial cuts, and some public officials giving the sign of the open palm. The usual rate for a house was one-third of the net take after it had been divided with the girls who earned it. For years the payoffs were made in a single lump sum and the split was made by the minions of the law. Then a dis-

agreement between the two law enforcing factions caused a split of the contributions. After that payoffs were made each week to an officer from the police department and a deputy sheriff. The payoffs from prostitution, according to investigators, amounted to as much as seven thousand dollars a week.

In Alabama there is no direct statute prohibiting the operation of a house of prostitution outside any city or its police jurisdiction. All cities have ordinances against disorderly conduct and fornication. There is a state statute on fornication, but it is no answer to the operation of assignation houses, since the act must be proved.

All of the persons mentioned in this chapter as being connected with prostitution, with the exception of Tommy Capps, have been indicted and some of them convicted on charges growing out of the prostitution racket. In most cases the state could do no better under existing laws than to indict a house operator on vagrancy charges, with an occasional charge of enticing a female into prostitution, as in the case of Rudene Smith. Had investigators been backed up with adequate laws, they could, without question, have made many more cases out of the gigantic prostitution racket.

As it was, the National Guard wrote "finish" to the highly organized sex sale. The operators were either jailed, run out of business, or both.

Many of them sought new areas for their operation, and some turned to new fields of vice. Many of the drivers for the multiple taxicab companies in Columbus and Phenix City were part and parcel of the racket, hauling soldiers or civilians to the outlying houses at the drop of a hint. Many of them did not hesitate to make the suggestion to a lonely GI that he could find surcease for his loneliness in female companionship for a price.

Some of the drivers had deals with the houses by which they would receive two dollars for bringing in a customer. Trade was brisk, and on weekends or paydays there would often be more taxicabs on the roads in and around Phenix

City than there would be pleasure cars. Competition for trade was keen, both among the house operators and the drivers who transported about seventy five per cent of the trade to and from Columbus.

With the closing of the houses, many of the drivers switched to the roll of pimps, hauling customers to the girls scattered in apartments and private homes in Columbus and other nearby cities. Many of the patrons were carried a distance of fifty miles to a notorious house midway between Columbus and Macon, Georgia.

The cabbies had to work harder for their two dollar tips this way and the fringe benefits they had enjoyed in Phenix were harder come by. One driver who had performed above and beyond the call of duty in toting men about Phenix was rewarded with a chicken dinner by the proprietor of a cat house.

The male "madames" of Phenix paid for protection from raids with large sums of money, but the girls often were called upon to contribute to the payoff with the one commodity they had for sale.

A list of regular customers was seized at Cliff's Fish Camp, and it carried the names of many persons prominent in Russell County. Among them were some who held responsible positions in the community or in politics. On occasions when any of the "brass" came a-calling, the entertainment was on the cuff.

Among the VIPs who frequented the sex-camps were many who were addicted to abnormal forms of satisfaction. As a number of girls later attested, they were required to perform acts which were painful, disgusting and sometimes humiliating without receiving any payment. This was, of course, a kind of blackmail on the part of these leading citizens.

The girls who carried on this world famous sport were a blasé, hard-talking lot. They never were so much at home as when with a group of their sisters-under-the-skin, or with a man whom they felt might understand them. Some of them,

probably a minority, reached out pathetically for this male insight.

When the women hoisted their skirts and traipsed across the bridges into Columbus, some of them found themselves tied down to the area, just as many other wage-earners learn it is difficult to leave home.

Purely in the interest of scientific research, ^{Ha!} one of the authors visited an ex-member of the sorority at her Columbus home. It was broad daylight and children were romping over the grassless front yard of the delapidated house. Most active of the children was a husky, little blond fellow who led a troupe of three in and out of the wooden, frame dwelling.

A short, rather squatty woman with her hair in curlers answered the knock at the door. This girl had been in the game in Phenix City for years. She had been known around the county as mistress of one of the whore masters.

With her hair in curlers, the girl didn't look worth ten dollars. In fact the entire picture was one of filth and laziness. Even with all the dough she had raked in during her years of bedroom exercise, she was living hand to mouth. This may have been partly because seven of the children were hers although she wasn't married.

Since the cleanup, she had taken a "respectable" job in Columbus, but she would meet gentlemen friends by appointment. Her own estimate of life as a Phenix City prostitute was startling.

She said that ninety percent of the men who patronaged the houses got their sexual kicks in other than normal ways. This percentage seemed extremely high and probably wouldn't stand up under a thorough study of the facts.

Quite a few of the customers simply enjoyed disrobing completely and having one to three girls whip them. The girls would be fully dressed. They would beat the men with belts or their hands, as the customer preferred. Generally the girls got a big kick out of the action and giggled while performing the chore.

There were those individuals who had highly personalized

systems; such as, for instance, the man who asked his girl to undress, put a lampshade on her head, cross her eyes, and say "goo goo." And, disgusting though it was, there were a handful of men who asked only for the girl to urinate in their face.

This was the seamy side of Phenix City.

The slender young girl who used to go to Cliff's to eat catfish with her parents learned of the main business function of that establishment by accident. She said she left the table and by chance looked into one of the rooms. There she saw a man and woman performing the sex act. She, herself, went into the trade because she needed money, she said.

She had a child who needed an eye operation. A job at Cliff's offered the best chance for quick money.

As did other girls of the night, she left Phenix following the cleanup and took up residence out in the country beyond Columbus. She, too, applied for and received a decent job, but when her employers learned of her past life, they dismissed her.

For breaking the prostitution rings and uncovering evidence against the whoremasters and political protectors, the National Guard chose Warrant Officer Ray McFall, a 34-year-old Birmingham postman, who did one of the best investigative jobs in the entire county. He traveled hundreds of miles tracking down principals, worked long hours obtaining confessions and wrapping up his cases against the big shots. McFall must stand out as one of the men to whom the state is most indebted for cleaning up a sordid situation. In some of his work he was assisted by M/Sgt. D. M. Lawson, also of Birmingham.

These two men proved beyond doubt that in Phenix, America had its Number One city in sex, sin, and deviation.

IV

B-GIRL

"BUY ME A DRINK, HONEY?"

That is the typical approach, or pitch, a B-girl uses on the unescorted male who falls into the lair. The words are more a statement of fact than a question. For it is a strong-willed man, indeed, who can elude these female leeches before he has been separated from a large chunk of his ready cash. The approach is usually made to the accompaniment of a caressing hand on the back of the neck or a suggestive squeeze of the arm. If trade is slack on that particular night, and the quarry shows signs of demurring, the accomplished B-girl really goes into her act.

If the man is seated, he is, literally, a sitting duck. The girl will squeeze in beside him and signal the waiter or waitress. Before "the mark" knows what's happening, two glasses of colored liquid will be on the table along with a tab for all the traffic will bear. This usually is followed by the girl imparting to her male companion in a husky-voiced whisper, "I like you, honey. How about ordering a bottle of champagne just for us?"

The successful B-girl must be a good judge of human nature—especially of the male nature. She can tell within a few minutes:

1. How much money her companion has.
2. How drunk he is.
3. Just how far she has to go to separate him from the maximum amount of his money.

When you have seen one B-girl operate, you have seen them all. Except for slight variations in technique, they are alike as pebbles on a beach. The approach that will work for them on East Baltimore Street, in Baltimore, or in the French Quarter of New Orleans, will work on Miami Beach or in Phenix City. Whatever the approach, its essence is the

subtle, or brazen, promise of sex. This may be conveyed by word or by body movements most calculated to arouse the male interest. It may be in the sweep of false eyelashes or in the brush of a kiss on the ear lobe from carmine lips. It all spells out just one thing: Mister, I'm after your money.

There were literally hundreds of B-girls in the pleasure palaces of Phenix.

Every man who has followed his natural curiosity and found himself in a joint specializing in strip-and-clip, can add his own familiar B-girl lines. While the man takes his bourbon at a dollar a shot, his new-found companion will be lifting a Coke disguised with ice cubes, or sipping tea. To add the necessary deception and impart the smell of liquor to her drink, the bar tender will pour bourbon into the glass, slosh it around and then pour in hot Coke. In that manner a B-girl may take forty to fifty drinks in an evening without being affected. And these drinks are costing her sucker a buck a throw.

To add spice and encourage more business, some times a girl will suggest that the man put a dollar bill inside her bra or her panties. In addition to the fifty-fifty cut she gets on the drinks, she keeps all the cash she picks up in the manner described.

As her "date" gets drunker and bolder, the B-girl goes into another of her well rehearsed acts. She may promise to meet him after hours for a party in her apartment or his hotel room, but he must first give her the ten or twenty dollars she charges for such entertainment.

Occasionally she may actually keep the date, if she likes his looks or thinks she may be able to bleed him for even more cash. Most of the time, however, he will spend the night alone, wondering how he could have been so foolish.

Sometimes the boy friend won't be so willing to forget and will return the next night in an ugly mood. That's when the bouncers work out on him. Pal M. Daniel, the police chief of Phenix City until his ouster following the Patterson

murder, said more trouble was brewed from the broken promises of B-girls than any other one cause.

Girls who work in places that feature the strip-tease may use the promise of a "special show after we close," and collect the price of the promised show from the date then and there. The show, of course, is never held and the sucker finds himself hustled out the door at closing time by the housemen who protest that they never heard of any late show, "and who do you think you're kidding, bud?"

Meanwhile, the girl who collected the admission price has disappeared through the back door with all the sucker money she has collected.

B-girls are not always prostitutes, though many of them do drift into the profession. In Phenix City it was considered a sort of training ground for the girls who wanted to better their financial position by offering their love on the open market. But not all of them chose to do so. One B-girl, interviewed by this writer, insisted heatedly that she was a virgin. She resented, she said, the implication that all B-girls went to bed with men.

Later, under questioning by investigators, this nineteen year-old brunette admitted that she had been intimate with one or two men, but protested that it was not on a commercial basis.

The working life of a B-girl in the better-class places was no more than six to ten years, before she grew coarse and dissipated and lost her looks. She then had the choice of becoming a waitress, a bar-girl in one of the lower class establishments, or a second-rate prostitute.

A few of the B-girls followed a normal feminine course and became the wives of soldiers. Some left the racket without ever taking the final step into prostitution. Occasionally one of the smarter ones would step up into the management end of the business, or become a recruiter for the operators of the B-girl establishments. But, like the prostitutes, most of them wound up as dope addicts, jail birds, or in the gutters of sin-soaked Phenix or Columbus.

Few B-girls started out in the business deliberately. Most of them were lured into Phenix by other girls who told them of the glamor and money that would be theirs in the wide-open city. They left their homes on the farms of Alabama and Georgia, or their modest dwellings in small cities, to seek their fortunes amid the bright lights of the nation's wickedest city. They came as waitresses or curb girls, but if they showed promise, they were soon approached with the proposition of becoming a B-girl in one of the spots along Highway 241 or Fourteenth Street. A waitress in Phenix could expect thirty five dollars a week with little hope of improvement in her field. A B-girl, on the other hand, was limited only by her own ability to cadge drinks or cash from the soldiers and pleasure-seeking civilians who frequented the dives where the girls worked.

Some of the waitresses stepped directly from the cafés into the bedrooms of some bordello. But B-girls provided the most fertile field for recruiting by the big prostitution houses. Often the girl who caught the eye of one of the house operators found that she had little or no choice in the matter of becoming a prostitute.

If she couldn't be recruited by offers, she would find herself in jail on some trumped up charge. Unable to meet the bail set, the girl would be in a receptive mood when approached by some house operator who offered to square her with the law in exchange for work. If the girl demurred, she often would find herself with a police record, charged with the very acts she refused to perform. She would then be told that her record would be made known in her home-town unless she agreed to work for a specified time. This form of blackmail was common in Phenix.

The term "B-girl" is a contraction of "bar-girl," and she is associated with bars or drinking establishments. But often the B-girl was also a shill, or come-on, for gambling or even prostitution. Along the wicked strip known as Fourteenth Street, in Phenix City, the girls shilled for dice games, poker games, slot machines or even the ten-cents-per-game

bowling machines. They were paid a commission of the sucker's losses. This usually amounted to five per cent for dice and poker, and a higher percentage on mechanical games or gambling devices.

Another sweet racket operated by the B-girls with the help of bartenders, was the old pawn racket. When the girl felt she had a live "mark," she would give him the hard luck story about having had to pawn her wrist watch to the bartender for five or ten dollars to help pay her room rent. The gallant swain, flushed from the cheap whiskey and dulcet promises, most often would volunteer to get the watch out of hock to show the girl that he was a "right guy." The money, of course, was split between the girl and the barkeep.

In Phenix, the B-girls spoke a language all their own. When two or more of them began jabbering in something resembling pig latin, only another B-girl could understand.

The language was formed by taking the second syllable of each word and putting it first. They used this jargon to pass information to each other about certain customers; whether he was a "live one" or a dud. They also used it to tip each other on persons they suspected of being members of the Army's Criminal Investigation Division. These CID men, in civilian clothes, made frequent visits to the various joints, trying to prevent the rolling or beating of soldiers whenever possible.

In statements to investigators after the beginning of the cleanup, scores of B-girls admitted rolling soldiers after getting them drunk and, in some cases, of feeding them knockout drops in their drinks to hurry the process to oblivion. When a B-girl took a soldier's wallet, it would be passed quickly to the bartender or proprietor under a napkin. Sometimes the money would be removed and the purse returned. If this was too risky, the wallet would be tossed away or destroyed so that it could not serve as evidence.

The girl got half of the money for her trouble and artistry. The division was made by the bartender or proprietor before the girl left work for the night.

The operators frowned upon private enterprise by the girls. If one planned to meet a customer after hours, the boss wanted to know about it and get his cut, which was usually fifty per cent. After that he had little interest in whether the girl kept her date or left the sucker waiting. The rolling of soldiers was also considered company business, and the girl who was caught trying to hold out a wallet she had lifted could get into so much trouble she wouldn't forget it for a long time.

One baby-faced B-girl, barely turned nineteen, wept bitterly as she told investigators about how she started in the racket and finally stepped over into prostitution soon after the Phenix City cleanup got underway. She left the doomed town as the neon lights began going out under the pressure of the anti-vice crusade. She wound up in a trailer camp in Aiken, S. C., entertaining male customers. She was a frail, pathetically beautiful girl, with elfin features. At first she protested that she was a virgin, but under questioning she broke down and related a sordid story which started when she was sixteen, with her own father getting her employment as a Phenix City B-girl in the dive where he worked as a bartender.

Most of the B-girls had fairly good educations, though this reporter found only one who had attended college. Several of them were graduates of high schools, and nearly all of them had attended high school and made average to good grades. They came from small towns and rural communities in most cases. Lured by the promise of the gay life, fine clothes and good pay, they found, instead, the gaudy, ill-smelling dives, permeated with the filth and lust they attracted. The girls found hard-bitten bosses in the gamblers and pimps who thrived on the activities of the sinful city. Those who chose it, or could be lured or forced into prostitution, found a ready market for their charms in the thousands of soldiers whose military pay supported the racket-ridden enterprises of the town.

Just as the B-girls enjoyed a social caste different from the

prostitutes, yet sometime competed for the same trade, so did the strippers and show-girls differ from the B-girls.

The show-girls were paid for entertaining as strippers, singers or dancers. The competent show-girls received about \$200 weekly for performing their chores. All of them supplemented their incomes by acting as B-girls between acts and cadging drinks from admirers.

Some of the show-girls were considered the private property of certain gangsters, and it could be most unhealthy for the average customer to become too playful around one of these. Other show-girls were available for private parties and many of them could be had for a substantial price. Most of them were beautiful, and some had a degree of talent.

One beautiful, blonde stripper confided to the authors of this book that she had never taken a dollar from a man for any of her after-hour favors. When she worked one of the clubs, she made about \$350 per week in salary and commissions from drinks. She never rolled drunks, she said, and her story was substantiated by the investigators.

"If I see a man I would like to be with," she said. "I let him know it, and I don't wait to feel the heft of his purse. I'm not chaste but no one can ever say I am a prostitute."

Here it is disclosed for the first time that one B-girl volunteered her services to state investigators and helped to obtain information that led to more than a hundred indictments. She was on the state's payroll as an investigator and received \$56 a week for her services. The state got more for its money there than for any like amount spent for investigators and informers. Working from inside the rackets, she was able to obtain the low-down on prostitution, muggings, dope, abortion rackets, gambling and assorted criminal activities. Her identity must still remain a secret for her own protection.

Apparently learning the state had employed a B-girl, another one put the information to excellent advantage—for her. She strutted into a beauty parlor, ordered the works and sat back to enjoy it. When the job was done, the girl haughtily strode from the parlor, telling the owner she was an under-

cover agent for Military Chief General Hanna and to charge it to him.

Many of the B-girls, prostitutes and show girls were tattooed about the arms and body, but those who worked at The Blue Bonnet Café had a special brand. These girls were marked inside their lower lips with the artist's needle. Investigators found many girls who sported their initials in purple ink inside the lip. When a girl started to change jobs, her prospective employer often would ask to see the inside of her lip, so he would know he was not pirating an employee from the outfit run by Frank Gullatt, who was considered something of a political power in the town, being the nephew of City Commissioner A. L. Gullatt.

The tattooing was done by a little hunchback in The Blue Bonnet. Even on the lips, it was said to be painless and no ill effects ever came to public notice. The price of his work depended on the size of the tattoo desired and the length of time it would take.

Even the city itself levied a direct tax on the waitresses and B-girls. The Phenix City official code provided for payment of a two-dollar fee by the girl before she was allowed to change jobs. Records of each of the girls were kept in a file at Police Headquarters. These records showed not only their places of employment, but any other record for vagrancy, prostitution or law violations. These records were used more as a form of blackmail over the girls than for any legitimate law enforcement purposes.

In addition to the payoffs which public officials and law enforcement officers received from illegal activities of every kind, the girls were made to contribute. This was done through periodic "fines" imposed upon them after being arrested on a trumped up charge. The arrest racket was part of the grand scheme used in forcing reluctant girls into the houses of prostitution. Despite the lure of fun, fame and fortune which attracted the girls to Phenix City, very few ever grew wealthy working as B-girls or prostitutes. They were commodities marketed for the benefit of the big shots.

Even if all the women weren't brazen in the beginning, the cops were. In February, 1954, Assistant Chief Willis M. (Buddy) Jowers and a sidekick stopped a car in which two girls were riding with two boys. Although the girls didn't know it at the time, the masterminds had decided it was time to switch the B-girls to prostitution. The two officers took the girls to jail.

"Buddy told us that they would have to search us and for us to take our clothes off," one of the girls said. "When we refused, Buddy and the other cop tried to get fresh and told us that if we would go back into a cell with them for an hour, they would let us out. Upon our refusal they left and about fifteen minutes later, they sent Ernest and Glenn Youngblood to see us. Ernest and Glenn told us that they would get us out and buy us new clothes and get us a place to stay if we would go to work for them. They wanted us to work either at the 431 Club or Uchee Fish Camp."

The girl said they refused the offer. She said she finally was freed when a police sergeant turned her loose and put her in a cab for home. If this was true, then she was lucky. Such kind police sergeants were rare. She had been told it would cost her \$51.50 to be released, unless she worked it out in trade with Jowers or the Youngbloods. Few men in Phenix City were letting \$51.50 in female merchandise escape for free.

The Youngblood brothers operated the bail bond business as well as having interest in several B-girl establishments and in the prostitution game. Once a girl was hooked in this set-up, she seldom left the profession until she was too old and broken in body and spirit to be of further use.

The average B-girl would do practically anything for money. She'd steal it from the table when her date turned his head. She'd knock over his drink or dump it on the floor when he went to the men's room. In the nightly routine, the girls became accustomed to the routine of the men.

"Most men," said one, "just wanted me to go out and spend the night with them, but others wanted to take me for a ride

in a jet plane, or sail to Havana and a lot of others said they wanted me to go up East and meet their folks."

Besides the B-girls, there was a category of human in Phenix City known as the B-boy, or female impersonator. Some of these latter worked as dancers and used such names as Barbara LeMay, Lisa Del Mar, LaVern Martin, and Hedy Jo Starr. The B-boys wore falsies, lipstick, rouge, long hair, and exotic perfume. They would cuddle up to men and, for a price, would offer spurious sex gratification. But this was not common. Mostly, women were the bait.

The crime kings of Phenix City recognized how essential women were in attracting business from Fort Benning. Even those not engaged in the prostitution racket used feminine charms as the come-on for gambling or other activities.

The story of Phenix City could well be written in the terms of the thousands of women who provided its guady glamor, its spicy reputation and principal commodity—sex.

V

EVERYTHING'S PEACHIE AT BEACHIE'S

FROM THE RIFLE RANGE at Fort Benning to wherever good soldiers go, the name "Ma" Beachie has a special place in their pocketbooks. Just the thought of "Ma" brings back memories to dogfaces around the world. For it was the truth that through the portals of "Ma" Beachie's honky-tonk passed the most active GIs in the nation.

There the warriors would go to watch the floor show, to make passes at the B-girls, to drink, to gamble, to dance, to test the bedsprings, to fight. Students from nearby Alabama Polytechnic Institute (API, also known as Auburn) flocked to "Ma's" as a favorite hangout. Of all the night clubs, honky-tonks, cafés, casinos, snuggeries, haunts, retreats, roosts, shacks, shanties, hutches, cowsheds, huts, lodges, courts, alehouses, gin mills, bars, saloons, speakeasies, hovels, kennels, booths and stalls in Phenix City, none could compare with "Ma" for the soldier-student clientele.

A goodly number of the joints didn't want the flower of young manhood except on payday. "Ma" catered to the boys in khaki and the boys with the crew cut. Her girls catered to them, too.

One delectable blond bombshell, a stripper, had her own form of entertainment which worked on either the student body or the GI body. In fact it was effective dynamite on any normal, red-blooded male-type human being.

This little girl would cozy up to a man, sit in his lap and tenderly caress his face and neck, cooing softly all the while. As the swain caressed in return, the stripper would take his hand to guide it along her thigh, up her side, around the belly, up between the valley of the breasts and over the nipples. It was fair to middling dark in "Ma's" and the man would grow bolder. Laughingly, the wench would lead him on,

helping his imagination rise like mercury in a thermometer over an open flame.

Like the thermometer, Buster grew hotter and hotter. And like the mercury, which would explode out of the glass tube if it became too excited, the man would reach the bubbling over point.

Then suddenly the girl would jump up and make a mad dash to her dressing room. After a moment's shock, the man would leap to his feet, shouting, and crash across the floor in wild pursuit. A couple of enlisted men—in excellent physical shape—almost made it, only to have the dressing room door slammed in their face. Undaunted they banged on the door with closed fists and wrenched at the knob.

But like the lady hen who chose death to dishonor, the stripper was answering no knocks, believing it was something other than opportunity at her door.

The stripper was safe. "Ma" retained a couple of bouncers on the payroll to handle just such commotion. These bouncers knew their job. Only when a fight became too rowdy would they oust the participants. More than once they let the sluggers battle it out inside the club. All the toss-guys did was make certain the fighters didn't get too close to favored customers who weren't participants in the brawl.

"Ma" preferred to handle her own evictions by talking an unruly group into calm. In the event neither she nor the roughnecks she hired could do anything with the rowdies, "Ma" would haul out a brace of pearl handled pistols she kept within her reach.

She was a little, white-haired, meek-appearing, dried-up woman who weighed ninety nine pounds, wringing wet, and was five feet, one inch tall in her underwear.

"Ma" sat on a high stool and bossed her chambers with an iron hand. The stool added to her height. She didn't do any work, other than sit there and watch and issue orders. A customer entering the front door could see "Ma" right away, and right away "Ma" could see him, too. It was a two-way proposition.

Propositioning was a major undertaking at "Ma's" particularly during the war years. Soldiers sometimes would be lined up outside waiting their turn to make a deal with a girl on the inside. The major-type proposition seemed to run something like this:

"How much? How long?"

The price depended on how near it was to payday. The length of time began at fifteen minutes, with an increasing pay scale for additional time. In this regard, "Ma" was little different from the operators of any other houses of physical enjoyment.

Where she differed primarily was in the field of entertainment.

No one disputed "Ma" when she said she gave her customers the best floor shows in Phenix City. It was unusual for her to have fewer than six strippers and generally the girls would be good lookers, beautiful sex specialists who didn't have to know how to bounce or grind or wiggle, as long as they simply got on the stage, took off their clothes and did some form of a shimmy.

It was intoxicating stuff. It made even women clients drunk occasionally and they would jump on-stage and begin their own amateurish form of disrobing. This, in its way, was often more appealing than performances by the pros. Once in a while "Ma" would pay the neophyte ten dollars.

"Ma" must have turned her back on all the excitement. She didn't remember any such things taking place at her club. Why, sir, her place was so clean that church groups visited her weekly, soliciting donations. All the customers would pitch in happily and so joyous was "Ma" over the visit that she would toss in a dollar herself. If any of the clients could remember such a visit, they probably thought it was all part of the entertainment.

The stage where the strippers put on their acts and went through the appropriate gyrations was raised about three feet from the floor. Up-front tables were right alongside. An ex-

cited customer sometimes had to be restrained from vaulting to the platform and helping the stripper along the way.

The other portions of the shows were the ordinary honky-tonk circuit riders: acrobats, singers, dancers, and usually a filthy-mouthed master of ceremonies.

Broken down has-beens, stopping off at "Ma's" for a drink and a memory, would take the stage during an intermission. They would tap dance or put their all into a song of years ago. For a few brief moments they were in the limelight, in a dump in Phenix City where the smoke often hung like smog and a singer's voice couldn't be heard above the roar of activity. But it was center stage for the old war horses. At least for a fleeting spell they could live again in what had been but was no more.

To this extent, "Ma" was a kindly soul. All she wanted was for her customers to have a good time. That, and the major portion from their wallets.

To help accomplish the latter, there was a game room at the joint. "Ma" still declares her innocence in having anything to do with gambling. Maybe she should refresh her recollection, for in Phenix City, where a sucker never got an even break, the dice table at "Ma's" earned a reputation—justified or not—of being fairly square until about 1 A.M. The croupiers would become tired of it all by then and turn on the heat.

"Ma's" place was unique in another way. It wasn't along the strip on either Fourteenth or Dillingham Streets, nor was it on any of the highways. It was in an old and dirty house, nestled back among some residences on a dirt road, its squalor hidden by flickering lights and the darkness of the night. A neon arrow, which blinked off and on, indicated the trail to passersby on the paved road a quarter of a mile distant.

"Ma" had a sad, hound-dawg look about her. Peering over the tops of her spectacles in a quizzical manner, wearing a plain white uniform, "Ma" looked just like a practical nurse and if there was one thing "Ma" was, it was practical.

Her first husband passed on to his just reward thirty years

ago when "Ma" was thirty-four. "Ma," whose real name today is Beachie Howard Parr, was left with five children and little else, besides a small, unprofitable grocery store. She had the task of feeding, housing, clothing, and training the young ones until she remarried. With her brand-spanking-new husband, "Ma" went to New Orleans and there she took her apprenticeship in night clubbery. She liked what she saw and learned, and upon returning to Phenix City, decided that was the life for her. Up went the club and in went "Ma" as the proprietress, on July 14, 1937.

She liked what she had so much that she never visited any other booze spots in Phenix except the Lasso Club, where her sister competed with her.

The sister, Ada Eberhart, was never the showman "Ma" was. Her bistro hung heavy along a rutted street, not far from "Ma's," and had the appearance of a haunted house. It was haunted, by a special type of human flotsam who made their homes in the gutters.

Unlike "Ma" who was always prim and soft-spoken, Ada was a dour-faced woman who got her kicks from vials and bottles.

The Lasso Club, which was better known as just plain "Ada's Place," was one of the last joints to close. Even after the padlock was on the door, the veranda served as a favorite gathering place for the hop crowd.

In its heyday, Ada's was satisfied with the overflow from "Ma's," and although its specialty couldn't be advertised on billboards, it made the rounds by word of mouth.

As the clean-up hit Phenix City, the depression hit "Ma." Four husky, mucle bouncers and two trim strippers sat around with "Ma" peeling stringbeans. It was a sad time. "Ma" had taken to serving food, strictly a by-product in the old days.

"Ma," along with the other brothers and sisters of the gambling and night club society, was hauled into county jail for possessing a gaming device. She had to remain overnight while \$750 bond was raised. "Ma" didn't relish the cornbread

and beans served the second day but she was a philosophical soul, a true optimist. Her faith in the future of her beloved Phenix never wavered, even in the dark hours when she peered through the barred door of the jail.

"I've been accused of everything but I'm certainly not guilty," she said. "I tried to cooperate with Fort Benning. You couldn't have girls available if you stayed on limits. They were very strict. They'd inspect you three or four times a night. You had t' keep on th' ball."

As she left the jail yard, "Ma" smiled, fluffed her cotton-white hair and observed: "This will be good for business when we re-open."

She climbed into a pick-up truck which a friend had driven around for her. Sitting next to her little granddaughter, "Ma" waved as the vehicle moved out into the street and carried her to her farm.

Weeks later she breathed a soulful sigh of relief when the charge against her was dismissed. Justice, "Ma" figured, was triumphant.

"Ma" said she got her nickname because of her age, her white hair, and because she was so nice to the soldiers. Her years of hard work, she said, had done nothing more than provide her with a living. She claimed to be "flat broke," having only forty-seven cents.

"Ma" had worked since she was seven and now she had three children still living, eleven grandchildren and one great-grandchild. One of her daughters died in a drunken stupor in bed. The death of another child is lost in time.

Of her living children, "Ma" indicates a preference for her son, a chip off the old job. He has a job exactly like hers, in Reno.

VI

"THE NIGHT ROLL"

A DIGNIFIED WHITE-HAIRED MAN of some sixty-odd years, his face looking no more pinched than usual, walked slowly to the Army jeep and crawled laboriously into the rear seat.

"I never rode in a jeep," he told First Lieutenant Donald Lee and Warrant Officer Forney G. Hughes. "I always wanted to, though, but I never figured I'd ride in one on my way to jail."

The jeep bumped along as Ben L. Cole, a member of the lower house in Alabama's State Legislature, had plenty of time to contemplate the reasons for his being on the way to the Phenix City Jail, and whether the trail he had followed was worth it. He was undoubtedly surprised. The date was September, 1954, and Representative Cole must have supposed that the three-year statute of limitations had run out on his former occupation as silent partner in a "bug" house. Lee and Hughes, investigating for the Alabama National Guard, thought differently, but they did not inform Mr. Cole of their opinions.

Cole, quite certain he was in the clear, spoke freely of his operations. The Representative was a quiet man who also ran a restaurant in Phenix City. He lived near the Russell-Lee County line, in the country where it was nice and quiet. His home was modern, ranch-type, with air conditioning units throughout.

Despite his facade of gentility, Cole did not fool all of the people all of the time. In a public hearing, a woman had identified him as a "bug" operator.

A "bug" operator is one who runs or owns a lottery house. In Phenix City, they call the lottery "the bug." It also goes by other names, such as "the numbers," "the bond," "bolita," "bread and butter," "the wheel," and "the night roll."

The bug is a simple game, easy to play, as cheap or as ex-

pensive as the player wishes to make it. He can bet one penny, a thousand dollars, or as much more as the individual house will allow. The player may win fabulous amounts—\$25 on a five cent bet, for instance. It is the odds which make the game so impelling.

All the player need do is give his money to a "writer" who calls on him at home or at work, and then the player writes down three numbers from zero to nine. A new game is played daily, five days a week. The player knows by nightfall whether his three numbers, in the order he selected them, are the winning combination.

During the heyday of the bug in Phenix City, the "101 Circus" came to Columbus, Georgia. Practically every bug player in the area chose the numbers "101." By a quirk of fate, most certainly not planned by the houses, 101 turned out to be the correct arrangement for the day. No accurate total is available on just what the operators lost the day the "101 Circus" came to town but the estimate is they kissed \$100,000 goodbye. Nevertheless, soon they were back at the old stands. An operator can figure easily on taking in sixty per cent of the day's receipts, the other forty per cent going to the winners and the writers.

Winning numbers generally are selected in one of three ways. The most common method in Phenix for years was to take the stock and bond quotations from the New York Stock Exchange each afternoon. Any series of three numbers could be designated as winners. Since the quotations run in seven figures, it was customary that the second, third, and fourth digits from the left would be the correct choice, or, the second and third numbers in one quotation, and the third in the second quotation.

Two obvious advantages came to the player under this selection system. He could read the results, for himself, in the final editions of the afternoon papers, and — even more important — there was no way for the house to fix the game.

There was a way for players to rig a selection, though,

and this, added to the errors made by house-men, caused operators to change their method of picking winners.

In the early days the operators had to learn by experience to stop selling tickets a half-hour before the stock market closed. They became educated the hard way. An out-of-town player with telephone connections to the New York Stock Exchange would telephone the Phenix City houses within minutes after the market closed. Unknown to the bugmen, he had the winning numbers before he placed his bet.

Also, there was the occasion when an operator long-distanced New York for the day's returns and somehow copied the numbers incorrectly. He was forced to pay two sets of winners for the day.

Winners can be chosen by the spin of a wheel or the toss of a special die, numbered from zero to nine. Three spins of the wheel or three tosses of the die produce the three lucky numbers. Operators liked these arrangements because either is easy to fix.

Still another system is the dropping of numbered balls into a cloth sack. The operator reaches in the sack and pulls out three balls. But the operator will have held out the numbers which have been heavily played, saving himself a big payoff. He can also conceal numbered balls in a hidden compartment within the bag.

The bug is a vicious racket. It preys upon people in the very lowest income bracket, who can't forget that for five cents they might pick up \$25.

They play it daily. Even people on relief have invested in the bug from their tiny income. In many cases, probably the majority, the winner doesn't keep his new-found wealth long. He gets so excited he invites all his friends and neighbors in to celebrate and the slush fund is gone in a wild melee of festivities. In addition, the winner in Alabama has paid his writer five per cent of his winnings while a Georgia winner paid his agent ten per cent.

Principal victims of the bug in the South are the Negroes.

They, also, were the primary targets of another lottery racket.

Operators boosted their income by selling dream books for fifty cents to one dollar. Bug players—like all gamblers—are notoriously superstitious, which explains why so many chose the “101 Circus.” Players will dream a dream and can hardly wait until they awaken to check their dream in the book. The number they select that day is the one abreast of the dream classification in the book.

* * *

When Cole was detained at the city jail by Lee and Hughes, they talked for some hours. Hughes discovered Cole’s activities the same way he uncovered every other bug operator in the country.

Since even the writers needed federal gambling stamps, Hughes checked federal records to obtain names and addresses of purchasers. Before approaching the big boys, he would contact the writers to learn details of each house. The writer could be used as a witness against the big man himself.

A problem, which could have become a major obstacle, presented itself. The writers were not merely hesitant to testify, they didn’t want to say a word. They feared their information would incriminate them. Guardsmen searched lawbooks until they found a section which permitted a writer to appear before the Grand Jury and receive personal immunity from prosecution.

With this law available, Hughes already had the goods on Cole before he started talking with him.

Cole’s story was that he had gone into the bug racket in 1937 and that he had quit in September, 1951. September, said Cole, was the month in which the federal stamp had become effective and that is when he quit the profession. Cole was in error, but eventually the Guard dropped the lottery count. Cole paid a fine on a charge of leasing premises for gambling purposes. The federal stamp did not go into operation until November 1, 1951. Cole said he had been a silent partner in “The Old Reliable Lottery.”

It was indeed reliable, as far as Cole’s financial position was concerned. His income from that source alone ran as high as \$1,000 over a 24-hour period. Cole didn’t bother to count the proceeds to see if he was getting a fair shake. He relied upon his partners, W. C. Roney and Lawrence Roney, father and son, to notify him daily of his profit and to deposit his share to his account in the bank.

The Old Reliable was one of seven lottery houses, of the bigger variety, going full blast in Phenix City. The others were The Metropolitan, The National, the Yarbrough-McCollister Lottery, The Old Original, The White Swan and Billingsley’s Ritz Café Lottery.

Jimmy Matthews and Hoyt Shepherd, with Clyde Yarbrough, originally ran The Old Reliable from the Ritz Café on Dillingham Street. When Cole and the Roneys took charge, they moved headquarters to the Yellow Front Café, The 514 Club, and the Girard Cleaners. Shepherd and Matthews moved out of the Ritz and A. B. (Buck) Billingsley moved in with his home-made organization.

The Yarbrough-McCollister Lottery had home base in Yarbrough’s Café on Fourteenth Street under joint management of Clyde Yarbrough and Stewart McCollister. It was not among the top bracket houses, grossing only \$500 to \$600 a day.

McCollister was a protégé of Shepherd and Matthews and was among their successors at The Bama Club. Yarbrough, on the other hand, was the old pro himself. It was Yarbrough who taught Shepherd and Matthews the ropes in the bug when they first entered The Old Reliable. It was Yarbrough, too, who first taught Matthews the tricks with dice and cards that were to make him rich before he was twenty-five.

Now sick and old, Yarbrough is in a semi-retired status. Cancer has eaten away much of his nose and face, and he wears a mass of bandages as he sits at his cash register in the café. His operation with McCollister in the lottery project was motivated, in all probability, by nostalgia.

Cole spent the night of his arrest in the city jail. He was

not only a man who cherished peace and quiet; he was a philanthropist of a sort. He offered to "pay out" any inmate then in jail who was serving time for lack of funds. Through his generosity, he hoped to get shed of the drunks who might keep him awake.

Four jailbirds were allowed to accept Cole's offer. The gesture cost him about \$50. Unfortunately for Cole, about two a.m. a fresh drunk was brought into the bastille, and kept up such a ruckus the remainder of the night that the legislator got no sleep at all.

Cole took his jailing philosophically. As soon as the doors clanged behind him, he sat down on a cot and started a game of poker.

"Just say," he told those within earshot, "that I'm playing cards with my friends."

Cole actually was a man with a good heart. He once donated \$5,000 to his church. On another occasion, he gave \$800 to the principal of a school with which to buy lunches for underprivileged children.

Of all the illicit operations in Phenix City, lottery was far and away the most profitable, the biggest, and the easiest. Captain Martin J. Wiman, of the Guard, said one house, The Metropolitan, raked up \$20,000 minimum during one twenty-four-hour period. That was not representative. Usually the loot did not run so high.

A peculiarity about the lottery operators was that they kept books. They held onto ticket stubs and itemized in detail the amounts they paid to writers on commission.

As did most of the underworld in Phenix City, the operators suffered from that not-so-strange disease among crooks: Uncle Samitis. The malady could be labeled Al Caponitis; non-contagious, non-infectious, but oh-so-permanent, when it takes hold. In brief, they feared the income tax boys.

When armed Guardsmen cracked into the bogus Bridge Grocery on Dillingham Street, from where The Metropolitan Lottery was run, at three a.m. on July 25, they found enormous quantities of lottery paraphernalia as well as every other

type of gambling device imaginable. Elaborate records were discovered intact. There were large stacks of ledgers, running from current statistics back for several years. Auditors' reports were neatly filed, as were the carbons of gambling stamps issued to all the writers.

Entries chronicled even minute details of the million dollar business blue-printed by a chief bully-boy, C. O. (Head) Revel, and his sometime partner, George Davis, Sr. The amount each writer earned in the past year was entered under his name, and federal withholding taxes were paid on income shown.

One hundred writers worked for the house. The daily take was in excess of \$2,000. A balance sheet for one year showed a gross income from lottery just shy of a million dollars. In that year, the partners made salaries of close to \$80,000 each and split a "surplus profit" melon at the end of the year amounting to another \$73,000.

Sharing in the consignment was George Davis, Jr.—a junior partner at the moment, who received a slice of the melon when it was cut at year's end.

On the morning of the raid at The Grocery, the elder Davis, bloated and doped, rocked back and forth on a high stool. He spoke not a word and did not appear to be interested in what was going on. H. J. Revel, a surly brother of "Head" Revel, worked the combination of the safe under the watchful eyes and ready guns of Guardsmen.

In addition to lottery and gambling equipment uncovered, there were ten adding machines and several money counters in the so-called grocery. A refrigerator in one of the gambling rooms contained hypodermic needles and small, empty glass bottles. Nearly four hundred dollars in bent coins had been thrown into boxes, apparently taken from slot machines and tossed aside to avoid re-use. Loose twenty dollar bills were stuffed into envelopes.

A file, marked "Revel Amusement Company," contained data on slot machines and juke boxes owned by the company, which was separate from The Metropolitan. The docu-

ments indicated the type of machine, its location, and monthly receipts gained from each. Several weapons, including a sawed-off shotgun, were seized.

So the crooks kept books in order to report and pay an income tax. Unfortunately for them, while they maintained records on lottery transactions, their worst natures came out in other money-making plans which they tried to keep secret. As a result, the treasury men have been working Phenix City for some years. In the great vacuum of hush-hush, where the government either thinks it functions best, or prefers to keep its own secrets, the department has yet to say why it reduced its force of investigators from a high of seventeen shortly after Albert Patterson's murder to less than a half-dozen within a period of weeks.

Nevertheless, the government is practically certain to slap income tax evasion warrants against more members of the fraternity. Tax liens, totaling thousands of dollars, already have been assessed against upper bracket overlords.

The Godwin Davis family, for instance, operators of the lush National Lottery and other free-wheeling enterprises, have liens filed against them amounting to approximately \$60,000 as of this writing. In addition, the family owed \$18,000 on a trailer park and another \$15,000 to the bank.

Their troubles were only beginning.

They said they had worked out a deal with the government. According to Godwin, Sr., the Davises agreed to pay the government \$500 monthly, plus \$6,000 at the end of each year until the lien was satisfied. But both Senior and Junior were charged in the clean-up with forty-four counts of operating a lottery. The state has construed that each day's operation is a separate offense.

Under Alabama law, conviction on one count carries a fine, but the judge can add up to twelve months at hard labor if he desires. Second and subsequent convictions carry mandatory jail sentences of from six to twelve months.

What the Davises were facing was forty-four years each in the state penitentiary. They didn't like the outlook.

In the first place, they figured all of their legitimate businesses would go to pot while they were in stir—even for a shorter time than forty-four years. They saw clean-up juries passing out heavy sentences and saw that the time had come for them to act. They tried to make another deal, this time with the state.

Davis, Sr. offered to serve time, to plead guilty, if the prosecution would leave his son at home to run the lawful businesses. The state would not accept.

By now, Davis, Sr. was feeling desperate enough to come to John Patterson, Jr., Attorney General nominate, in place of his late father, to see if Patterson would intercede in his behalf.

This happened a few minutes past midnight, the morning of October 14. Patterson was in his office talking with Private Investigator Fred Bodeker of Birmingham, and one of the authors, when his telephone rang.

His wife was on the phone, giving him a number to call back. Patterson dialed the number and a man answered immediately. For a few minutes Patterson listened, then said, "Wait a minute." He cupped his hand over the mouthpiece and lowered the phone.

"This is Godwin Davis," he said, looking at Bodeker. "He wants to see me about something. Should I see him?"

It was agreed that Davis should come to Patterson's office although Davis had wanted Patterson to meet in Davis' car. It took Davis not more than five minutes to arrive. Patterson told the National Guardsman at his door to search the man before he was admitted.

The pudgy, snaggle-tooth, cigar-smoking Davis kept Patterson tied up for one hour and fifteen minutes. Davis didn't know that sitting in an adjoining office during the entire conversation was Bodeker, the man who had cracked much of the Alabama vote fraud case.

Amazed by the visit from Davis, Patterson promised him nothing. The following day Davis was at the courthouse, dressed in a blue suit, smoking his cigar, and awaiting the

worst. He eventually was given two years, to be served after Godwin Davis, Jr. completed a sentence of eighteen months.

Davis said he never would have stuck around Phenix after the cleanup if he hadn't already been tagged by the federal government. He couldn't run out on that.

He had his own theory on the tie-up between gamblers and politicians. Most cops, he said, turn crooked because of greed or selfishness. As for politicians, he said they'd do anything to get elected and remain in office. He told of an old-time mayor who, he said, was honest except on election day.

"I wouldn't offer him a dime for nothing," Davis said in describing the mayor's integrity.

On election day, he continued, a man was arrested for voting in more than one box. He asked Davis to help him and the little gambler promised to take care of his friend. Forthwith, he went to see the mayor and inquired on what charges the man had been arrested.

"For voting more than once," the mayor declared.

"Yeah," Davis replied, "and every one of them votes was for you."

Nothing more ever was heard about the case.

The Metropolitan Lottery furnished the Davises and the Revels a luxurious living for years. The relationships between the families were complex. While all the Davises and the Revels were at one time associated in The Metropolitan Lottery, the Godwin Davis clan ran the prosperous National Lottery on Fourteenth Street from the Manhattan Café. "Head" Revel and Godwin Davis had worked together on other projects until they split up, enjoying their mutual feelings of hatred, one for the other.

In later years The Metropolitan was run by Revel and George Davis, Sr. and Jr., until Revel eased both of them out, as will be described later. The National Lottery was under the guidance of Godwin Davis, Sr., and his sons, William Robert (Bubba) Davis, and Godwin (Sonny) Davis, Jr. The partnership employed seventy writers and enjoyed a yearly gross income of nearly \$1,000,000.

Just how good a living the gamblin' Davises made from their lotteries was revealed in a divorce suit brought against Bubba by his wife, Gloria Floyd Davis, in October, 1950. The case is important for another reason for it put on the public record the close ties between a city commissioner and the underworld.

Gloria Floyd Davis was the daughter of Dr. Seth Floyd, a city commissioner whose father also had been on the commission. Here was a direct family connection between a public official and a public underworld official. Revel admitted, while testifying in the case, that he was a close friend of Dr. Floyd's, too.

"I have visited Gloria's father and mother's home quite often," he told the court.

Gloria and Bubba married on May 5, 1947. After three and a half years, she filed suit for divorce, seeking \$400 a month alimony. She had been married twice previously and had one child by her first husband, and one child by Bubba. To show that Bubba was easily able to pay the \$400 a month, Gloria "told all" about the Davises' lottery empire; at least, she told everything she knew but even Gloria did not have access to all the bug rackets spawned by the Davis clan. The official court transcript of testimony, condensed to avoid repetition and wordiness, is given here to impart the full flavor of the Davises' prefecture. The testimony is that of Gloria, being questioned by her attorney, John Patterson:

Q. "Have you ever worked with your husband?"

A. "Yes, I have."

Q. "Tell the court what sort of work you did for him."

A. "I worked for The National Company—the numbers racket."

Q. "Known as the lottery?"

A. "Yes."

Q. "Is he operating a lottery now?"

A. "Yes. Yes, he had me keep the books and tend to everything to see that it was working all right."

Q. "How long did you keep the books of that company?"

A. "For nearly two years."

Q. "Did you see the money come in?"

A. "Yes."

Q. "Is your husband a partner with his father, Godwin Davis, and Godwin Davis, Jr.?"

A. "Yes."

(Gloria testified her husband also "was interested in" the 602 Club which operated a lottery, the Alabama Amusement Company, and the Manhattan Club which had a bar and operated slot machines. Gambling was the run of the mill affair in the places about which she testified.)

Q. "How much interest does your husband have in [The National Company]?"

A. "A one-third."

Q. "While you were working as bookkeeper in that company, about how much money did they make?"

A. "I have seen days when the take would be from \$1,000 to \$1,200."

"Head" Revel, now wanted in Phenix City on fifty counts of operating a lottery and for questioning in the Patterson murder, got down to bare facts in his testimony. He said the George T. Davises received one-half of the profits of The Metropolitan while Revel and the other three Davises shared the remaining one-half. This, of course, was before Revel usurped the Met.

Bubba's share of The Met amounted to \$15,098.80 in 1947, Revel said, reading from official records of the company. He said Bubba received \$17,216.70 the following year. Gross receipts for 1947 came to \$658,190.72, according to Revel, although it is likely this figure was too small as the lottery did much better in later years and T-men have filed liens against George T. Davis for unpaid taxes.

Revel said the gross receipts the following year were \$729,259.75. George Sr. and Jr. both were paid \$25,825.04 from that nest egg and the other partners were given equal cuts of \$17,216.70.

Revel said he knew that Bubba's 1948 income was at least \$26,000 from their joint lottery transactions.

A Phenix City lawyer, James H. Caldwell, who since the clean-up has become solicitor, testified as an expert witness in accounting. Patterson asked him if there was a method, recognized by the federal government, of determining a man's net worth from his income. Caldwell said this could be done.

"If a man earns \$24,000 a year, what would you say his net worth is?" Patterson asked.

"The net worth," Caldwell said, "would depend upon the prevailing rate of interest. At the prevailing rate of interest at 6%, the capitalized net worth on an income of \$25,000 per year would give a net worth of around \$400,000. In other words, it would take assets or assets worth \$400,000 to earn \$25,000 per year. That's quite often done with land and cattle, and interest in a partnership is just as much a capital asset as bonds or stock or anything."

A feud of two years' standing existed at this time between Revel and the Godwin Davis clan. Revel told of the ill feelings under cross-examination by Attorney Roy Smith, the city attorney who was representing Bubba.

"You were, for a long time, engaged in business with Godwin Davis, Sr., the father of Bubba?" Smith asked.

"That's right."

"Not only here, but away from here?"

"Yes."

"For a long number of years?"

"That's right."

"You are not on very friendly terms with Bubba, are you?"

"Well," said Revel, "I don't have no more to do with them."

"You are not business associates any longer?"

"No."

"Your feelings toward them are not too friendly?"

"I wouldn't think so—no more than theirs toward me. I stay away from them."

"And they stay away from you?"

"And I don't have anything else to do with them, and to

be frank, I don't want to have anything else to do with them."

"That's mutual, isn't it?"

"That's right."

Revel's break with Godwin Sr. and Jr. was a typical underworld affair. Revel decided he wanted to get out and told Sr. he was leaving and wanted his share of the business.

"You've got your half," Davis replied, according to Revel. "Now get out."

For the moment Revel was outnumbered and departed. At 2 a.m. on January 9, 1950, a pick-up truck with four men backed up to Davis' Manhattan Café. Johnnie Benefield was at the wheel. James Rush and Clarence Franklin (Shorty) Johns—both now dead—were in the party. The fourth man was thought to be Revel. They tied up the nightwatchman and a guest, loaded the three safes onto the truck and drove away into the night.

That was how Revel got his share.

After leaving the Godwin Davis tribe, Revel spent more of his time with George Davis, Sr., and Jr., and the three of them became the great white fathers of The Met—for a while, anyway. Revel was plotting how he could, alone, control the rackets.

He went to work on Senior, getting the old man on dope until Davis was in no condition to match wits with Revel, then he convinced Senior that Junior was stealing from the company. Out went Junior and Revel took over The Met almost completely.

Revel built The Metropolitan into a huge organization, which he ran alone the last few years before Albert Patterson was killed. He, along with the Godwin Davis outfit and the Hoyt Shepherd-Jimmy Matthews combine, was one of the few bug operators to gross over a million dollars a year on the numbers racket. Out of this income, the operators paid not only the winners but usually paid the fines and bonds and hired lawyers for their writers who were picked up by the police.

It didn't always pan out like that.

A writer for A. B. (Buck) Billingsley, operating out of The Ritz Café, was caught in Columbus, Georgia. "Buck" paid the bond for the writer. But when the defendant's car was seized and he was fined \$1,000, "Buck" left the man alone to figure out his own problems.

Daily intake at the Ritz fell off to \$300 at one time but it had much better days. One writer, who worked on the usual fifteen per cent commission, said she made \$30 daily, which means she would have sold some \$200 a day in lottery tickets all by herself. She said she checked her daily receipts either with "Buck" or Robert Seymour.

Bad feelings, caused by the lottery, developed among the operators. Besides the Davis-Revel clambake, Shepherd and Matthews had their eye on another competitor, Pete Hargett, whose operations at one time were the largest in the area.

Working for Pete was his brother, Guy. Their lottery appeared to be hurting the Shepherd-Matthews enterprise and about the time this came to light, the Hargett home, in an alley, was raided by officers. Guy was killed. (Described in another chapter: "Murder in the Rogues' Morgue.") Pete and a friend, Sam Beck, were jailed and their lottery was busted.

There were any number of small lotteries, fly-by-night outfits always glad to make a nickel legally or illegally. Bryant P. Long ruled his from the White Swan Café on Moore Street. He was the first operator to be tried in the cleanup and was found guilty in his first two cases.

Another lottery, known as The Old Original, was run by E. L. (Red) Cook, now serving a life term for murder. Cook's organization headquartered in the Old Original Barbecue on Dillingham Street.

Cook's was considered the smallest of the seven "big" houses, grossing a paltry \$150 to \$300 daily. Cook was also a beer distributor and his red hair matched his flaming temper. On a Sunday night in 1950, Cook shot and killed John Mancil, a taxicab driver, and wounded two other men, all

of whom were in the 601 Club, which Cook ran. The red-head wasn't brought to trial for any part of the fracas until the cleanup began, four years later.

Then he was convicted of murder in the first degree and sentenced to life imprisonment, a sentence which he appealed. But previously the murder had been used as a weapon over his head by Chief Deputy Albert Fuller, who thereafter employed Cook as his personal errand boy to carry messages and threats for the mob, and for himself.

Going full blast on a small scale was the 602 Club. Charlie Clark Parker, Sr., was hired by the Godwin Davises, Sr., and Jr., on September 14, 1949, to manage the 602 for them. Parker retained his position until March 15, 1954.

He would turn his receipts over to "pick-up men" from The Manhattan Café. Making the contact, as a rule, were either Jared Kenyon or Doris Longway. Parker did not say whether protection dough was paid for the 602 to function but he indicated it operated with the knowledge of the city.

"At times," he said, "I have seen most every policeman on the Phenix City police force come into the 602 Club."

Parker was paid a salary of thirty-five dollars a week. In addition, he received a fifteen percent commission on lottery and twenty-five percent on all gambling machines in the club. He wasn't wondering where his next meal was coming from.

Pick-up man Kenyon is the same fellow who, according to the records, bought Bubba Davis' interest in The National in July, 1950. The sale was made retroactive to January 1, 1950. Current records list only Kenyon's name as the operator, though it remained in the space owned by the Davises above The Manhattan Café.

An advantage to people who liked to gamble without being bothered with details was that they didn't have to leave home to participate. Writers would come to them. Or the players, if they wished, could visit the lottery house and place their bets at the scene. The option was theirs. This anxiety to be where the action was, led to more action than

was anticipated and cost the life of twenty-four players on April 21, 1938.

So many persons assembled the day before the tragedy that a portion of the Ritz Café, which housed The Old Reliable, caved in, injuring ten people. The next day, while bug players were awaiting the posting of the figures, the entire building collapsed. This time twenty-four persons were killed and eighty-three were hurt. While rescue workers dug out the injured, bug writers went about their business of selling tickets.

The catastrophe was the worst in the history of Phenix City. The City Commission promised to investigate but dropped the matter because witnesses were reluctant to appear at the hearing.

The bug was a hardy insect that thrived in the murky atmosphere of Phenix. When it suffered a setback for any reason, it always came back stronger than ever. One Phenix City businessman whose sporting blood prompted him to invest from ten to fifty dollars a day in bug drawings once hit lucky and picked up \$6,000 on a ten dollar ticket.

The Night Roll was the steady bread-winner. From it, the gamblers always were assured of a handsome net return. It wasn't as spectacular as the big dice games, nor as amusing as watching the whirring wheels of a one-armed bandit, or the blinking lights of a pinball machine.

But it was big-time stuff, accounting for more than ten million dollars yearly and providing a good living for hundreds of persons in Phenix City and Columbus.

VII

GAMBLING WAS NO GAMBLE

ONE REMARKABLE FACT STANDS OUT in the story of Phenix City. Nobody ever gambled there. Its famous old Dillingham Street has been mis-named the "Gamblingest Street in the World." While it's true that a dozen places along a single block of this street annually took in sums from dice tables and slot machines that would rival the operating budget of a city like Birmingham or Miami, nevertheless if gambling is defined as the staking of money on the hope of a return of more money, the Phenix City brand couldn't qualify. The sucker who entered a gambling house had almost no chance at all of coming out with his roll intact, much less of carrying away any house money.

There seemed to be only one exception to that rule in Phenix. Old time gambling figures say that a straight dice game could be had at the Bama Club when it was operated by J. Hoyt Shepherd and Jimmy Matthews, partners in the old S & M Amusement Company.

It was in the Bama Club that the biggest games were held. Witnesses report seeing over one hundred thousand dollars cross the dice tables in a single evening. One of the co-authors of this book has seen thousands of dollars on the dice tables there at one time. After Shepherd and Matthews became established as the gambling kingpins of the city, having amassed fortunes, they apparently decided that honesty was the best business policy for a gambling house. They knew, at least, that in order to attract the big money from the north and east, they would have to give the customers a fair shake for their money.

Riding with only the regular house odds, Shepherd and Matthews operated "no limit" games of crap and high dice. The "pallet" or bank which they put up as a target sometimes amounted to fifty thousand dollars, with an almost

unlimited reserve fund behind it. The house sometimes won huge sums, as on VJ night in 1945 when a gambler from nearby Columbus, Georgia, dropped his roll of sixty-four thousand dollars within a few hours.

On the other hand, the house was hit for large sums on occasion, dropping about thirty-five thousand one slow afternoon when there were only three persons at the dice table.

The Bama Club attracted big-time gamblers from New York, Chicago, Miami, Birmingham, Boston and other major cities. After the place was closed by National Guardsmen following the murder of Patterson, General Hanna checked air traffic from the major cities to Columbus and found that it was off by about fifty per cent. Many of the big gambling figures flying down for the lush pickings in Miami during the winter season, would stop off in Phenix for a warm-up at the Bama. Many of them got no further, having been picked clean on the green dice fields of the club on Dillingham.

The Bama offered gambling in almost any form the customer might choose. It had slot machines, roulette, blackjack and poker, as well as a modern horse-room where you could bet on the nags or buy a parlay on football or baseball. Drinks and food were on the house to good customers, and for their entertainment while they gambled, a big-time orchestra and floor show were offered.

About two years before Patterson was killed, Shepherd and Matthews announced with much fanfare that they were quitting the rackets. They surrendered more than five hundred thousand dollars worth of slot machines, and turned the management of the Bama Club over to new hands.

The new operators were Stewart McCollister, a protégé of Shepherd and Matthews, J. D. Abney, Clyde Yarbrough and J. D. (Frog) Jones. The new management did not hold strictly to the idea of giving the customer an even break, and there was a substantial decline in the business coming in from the north and east. But they still offered gambling of every type, including lottery, and sold fireworks as a side line. All types of fireworks are illegal in Alabama.

But outside The Bama Club, there was no true "gambling," in the sense of wagering, in Phenix City. Slot machines were set to pay off only about five cents on the dollar; poker and black-jack cards were marked, deals were crooked, cards were stacked, dice either were loaded or shaved, and lottery drawings were often rigged.

In addition to cutting to a minimum any chance for the sucker to win, many of the low-class gambling joints resorted to muggings or robbery when it appeared that a customer who didn't gamble was about to leave with any substantial part of his roll intact.

If your pocketbook couldn't stand the gaff at The Bama, you could find a smaller, but still substantial game at Bennie's Club, just on the other side of Dillingham Street. If dice was not your wish, there was black jack or poker at almost any one of the score of joints on Dillingham Street within spittin' distance of each other. You could hear the click of the roulette wheel at The Bama, The Ritz, The Old Original, Bennie's or The Bridge Grocery. From 1942 until 1950, there were more than a thousand slot machines in operation in Phenix City and Russell County at all times.

The number was greatly reduced after Shepherd and Matthews left the field in 1951, to become political fixers and landlords of gambling.

Just the week before Patterson was murdered, he had joined with Hugh Bentley and others in requesting Governor Gordon Persons to order an all-out gambling raid in Russell County. The raid had first been planned for the night of June 18—the exact time that Patterson met his executioner in an alley outside the Coulter Building. But because of the detail necessary in planning such an operation, the raid had been postponed until the following week.

The gambling clan seem gifted with a peculiarly valuable faculty. Things said behind closed doors in Montgomery, the capital, could be heard clearly in Phenix. Consequently, on the night that Patterson had his teeth knocked out by bullets,

gamblers were busy hauling slot machines from dives along Fourteenth Street and Dillingham, and storing them in warehouses, homes, cellars and under improvised tents in the thick woods that surround the city.

Patterson's death brought on an immediate "cleanup" drive by the local authorities, assisted by a few members of the Alabama Highway Patrol. The raids netted nearly one hundred slot machines, horse race machines and similar devices, as well as a number of moth-eaten gambling tables. It was the type of "cleanup" that citizens knew so well. Several of them slyly pointed out that most of the machines seized were old and inoperative. Some of them were junked machines that were being dismantled for parts. The dice tables brought in from this series of raids bore about as much resemblance to the tables used at Bennie's or The Bama Club as a race horse does to a plow mule.

Citizens knew from experience that it was neither desirable nor effective to report matters concerning gambling to local authorities. But many people did seek out newspaper men and "tip" them on locations of operating slot machines, dice tables and other gambling devices. A few more raids were made as a result of these tips, with reporters and photographers standing by to see the job done.

Showing his utter contempt of the cleanup, "Red" Cook had stored a large number of his machines in a warehouse on Fourteenth Street, right in the heart of the city's residential and business section. It was the same warehouse where he had always put his machines when the heat was on temporarily.

This citadel fell before the Guardsmen while Cook fussed, fumed and found fault—all to no avail.

The gambling raids staged by the Guard were well planned and executed. As gambling devices were pulled from one of the clip houses, a CID man would tag it for later identification, and list the names of witnesses present.

It was on this information that nearly five hundred gam-

bling indictments have been brought by the Grand Jury, with almost all of the defendants entering pleas of guilty as their cases came up for trial.

Intensive raiding by Guardsmen went on for three days following the kickoff on July 24. During this entire time, Special Solicitor George C. Johnson personally supervised the gathering of evidence. In this he displayed the same methodical procedure that was to prove so successful before the Grand Jury and in subsequent prosecutions of the Phenix City mobsters.

Evidence gathered in the raids was sufficient to bring charges against almost every gambling figure in Phenix City, big and little. Where warning devices were found in gambling houses, special care was taken in preserving the evidence for felony indictments.

Alabama law makes it a felony to install and operate a warning device in a gambling house. All other types of gambling charges are misdemeanors.

But Solicitor Johnson was not pleased or happy about the results of the raids. The fiery prosecutor from North Alabama was disappointed on examining the evidence to find that the two biggest fish, Shepherd and Matthews, were not in the net. He confided to friends that he would consider the entire operation a failure unless Shepherd and Matthews could be brought to law.

Weeks passed and the list of indictments grew with each new session of the Grand Jury. Johnson and his associate, Conrad Fowler, of Columbiana, worked long hours over evidence and before the Grand Jury aided by Highway Patrolmen Louis Phillips and John Williams. The temperature in August hit one hundred degrees and inched above. Johnson and Fowler loosened their collars, rolled their sleeves higher and continued to dig in.

Then one night in mid-August Johnson obtained records showing ownership of some of the gambling establishments and Johnson confided that he thought he could at last hook Shepherd and Matthews.

To do this he used an old Alabama "Gypsy Law" passed about 1873 and inactive on the statute books since before the turn of the century.

The law makes it a misdemeanor for any person to rent or lease any property with the knowledge that it will be used for gambling. The law was designed as a method of preventing persons from allowing roving Gypsy bands or river boat gamblers to ply their trade in the rural communities of Alabama in the early frontier days.

This was war, and it was necessary to use any ammunition available. Armed with the old statute, plus proof that Shepherd and Matthews had rented places for gambling, Johnson went back before the Grand Jury. This time he came out with four indictments against each of the kingpins.

Both Shepherd and Matthews served ninety day hard labor sentences. They entered pleas of guilty to two of the counts and the remaining two counts against each of them were dropped.

* * *

Mention was made earlier in this chapter of the marked cards and loaded dice used in the gambling houses. These were strictly home products, and were distributed by Horace Webster, alias "Pat" Webster, who operated a small factory down on Long Street. Webster studied his trade in Portland, Oregon, and New York City in 1953. His wares were shipped to the Mississippi gold coast and Savannah, Georgia, as well as being distributed in Phenix City.

When Guardsmen raided his establishment they found all kinds of equipment for loading dice or shaving them. The marked cards and other crooked devices were ordered from a wholesale house in Chicago and one in Los Angeles. Webster maintained a list of customers, which included most of the Phenix City establishments and gambling casinos throughout Alabama and several surrounding states.

An Army corporal stationed at Fort Benning, but living in Phenix City, was on the customer list. He was found to

operate a dice and card game on the post where he regularly fleeced his buddies.

Webster readily admitted that he handled "expert" equipment, but said he only recently had gone into the manufacturing field.

Seized along with his customer lists were catalogues, showing illustrations and price lists. Since there were no statutes in the state code dealing with the manufacture or sale of crooked gambling equipment, Webster was charged with possession of gambling paraphernalia.

Slot machines, particularly the roscoe type, a lever-operated device sometimes called "one-armed bandit," offer the gambling operator the surest return of any gambling device. They can be set to pay off any percentage the operator wishes, and that figure is based upon what he thinks the players will stand for. In Las Vegas, Nevada, for instance, machines are said to pay off from sixty to eighty percent of the amount taken in. This is good advertising and increases the volume of business.

In Phenix City most of the machines paid off ten percent, or less. The house men didn't figure it was necessary to advertise, since customers were usually lined up to put their money in the machines anyway.

Before turning in their slot machines in 1951, the Shepherd-Matthews Syndicate had machines in most of the better locations in the city, as well as in scores of filling stations, grocery stores, cafés and night spots in Russell County.

Their chief mechanic, who looked after the machines and fixed the percentages, was C. W. Franklin. Franklin was the foreman of the Russell County Grand Jury at the time Albert Patterson was killed, and, under ordinary circumstances, this gambler would have been one of the eighteen men to have considered any evidence that might have been brought before a Grand Jury at that time. However, the entire body, along with the Jury Commission that put their names in the jury box, was superseded by a special Grand

Jury organized from a new jury box to hear all cases growing out of the cleanup.

After the Kefauver Senate Committee hearings in 1950, certain teeth were put into the federal gambling laws. Gamblers were required to buy federal stamps each year, and to pay ten percent of their net proceeds to the government. Another law made it a federal offense for slot machines to be carried across a state line, or for slot machine parts and other gambling devices to be handled in interstate commerce.

These restrictions were the most serious blow struck at organized gambling up to that time. Then the Alabama Legislature made the owning of a gambling stamp *prima facie* evidence of guilt. The Shepherd-Matthews combine exited from the active gambling field.

Most of the Phenix City "sportsmen" rallied quickly and bought gambling stamps for business as usual. They obviously were not worried about prosecutions in Russell County.

The special Grand Jury was ordered by Special Judge Walter B. Jones, as one of his official acts after being appointed by the Alabama Supreme Court to preside over legal phases of the clean-up. This put Franklin and his Grand Jury out of business.

Franklin was discovered to have been owner of a federal gambling stamp at the same time he was Grand Jury foreman. He was caught in the gambling dragnet, indicted and pleaded guilty. His sentence, in two cases, was originally fixed at two years, the heaviest term imposed on any gambler. It was later reduced to one year, which he began serving in December, 1954.

But none of the mob relished the idea of tangling with Uncle Whiskers, by shipping slot machines or parts across state lines. The price of a nickel slot machine—around \$300 in Chicago—suddenly jumped to \$1,000 in Phenix City. To meet the new emergency, it was necessary to have facilities at home to reproduce parts for the machines when they wore out.

A few selected mechanics were sent off for factory train-

ing. One of the men who became expert in machining parts for slot machines was Felton Cobb, nephew of the late Homer Cobb, *strong man* mayor of Phenix City.

Felton Cobb operated a radio shop in the rear of his modest home. Neighbors knew that he was always swamped with work even when business was slow for others. One day Military Police Chief, Colonel James N. Brown took a crew of Guardsmen to investigate the shop. Inside the concrete block structure they found a modern slot machine factory with nearly a score of slot machines and large quantities of parts. They also found a reel of eight millimeter movie film of the type shown at stag smokers.

Cobb was indicted for possession of gambling equipment and obscene film, although the latter charge was dropped after he entered a plea of guilty to the gambling charges.

The return from slot machines added up to an enormous figure. At one time, before Shepherd and Matthews quit the business, the machines averaged \$9,000 weekly in the Phenix City Pool Room, owned by Shepherd and Matthews, and an almost unbelievable \$12,000 weekly from the Ritz Café, where lottery drawings were held daily.

Over-anxiety to learn about slot machine operations at The Ritz and other places, nearly resulted in serious consequences for one of the authors of this book. This episode is related as it happened, to the individual writer.

It was about two weeks after the Patterson murder and before the National Guard had been given real authority to police the city. The writer had made contact through a third person to learn about gambling operations from an inside source. The meeting was arranged for about 10:30 P.M. in a thickly wooded area about three miles from Phenix City, and near the Lee County line.

The meeting was made without mishap, and the author's automobile was concealed, a mile off the main highway, and a few yards off a little-used dirt road.

The dome light of the car was turned on while the informant explained the gambling layout of various places, and

drew diagrams. He also furnished details of slot machine locations and the approximate take from each place.

While the conference was underway, an automobile passed back and forth within a few yards of where the author and his informant were concealed, the car engine laboring through the deep sandbeds. The meeting was hastily adjourned, the lights turned off, and hiding places selected in the nearby bushes.

While both the writer and his companion were armed, neither relished the idea of a showdown in that lonely pine thicket.

When the car had gone, the conference was hurriedly finished and the writer and his companion parted company for the trip back to Phenix City.

Once on the highway, the author checked carefully for car lights and saw none until his car had traveled a few hundred yards past the new National Guard Armory.

At that point a car, traveling at high speed, approached from the rear. When this writer's car slowed for a railroad crossing, the approaching vehicle came on with a sudden burst of speed and swerved toward the lead car, forcing it into a shallow, sand-filled ditch and up the side of a clay bank. The other car slowed momentarily, then whipped quickly back on the road and raced away toward Phenix.

After regaining control of his car, the author gave chase in an effort to get the license number of the other vehicle. It was a Georgia tag, but bent upwards in such a manner as to be unreadable.

After losing the car near the railroad station, a call was placed to Guard Headquarters and jeep patrols were put on the search. The vehicle, by then, had a two-mile start and very likely was across the river in Columbus before Guardsmen reached the scene.

An examination of the point where the car had left the road revealed that it was but thirty yards from a steel bridge abutment. Below was a rocky gorge ten feet deep.

The scare technique employed by the gamblers is out-

lined here to emphasize the desperate measures the hard-pushed mobsters were prepared to take to protect their threatened vice empire.

The maneuver of running people off the road was to be repeated several times. Among those forced from the road was an agent for the Alabama Alcoholic Beverage Control Board, and L. B. Sullivan, director of the Alabama Department of Public Safety. Threats of death or bodily harm were made against several persons identified with the clean-up, including Governor Persons, Mrs. MacDonald Gallion, who was the wife of the governor's personal representative, this author, and others.

Governor Persons said there had been four such death threats made against him or members of his family. For a while he toted a .38-caliber revolver, with which he was an expert, and had an armed guard stationed at his door. He had the executive mansion guarded by four armed watchmen and the grounds swept with floodlights.

The governor confided to the authors that four times during a single week he had his private telephone line changed because it had been tapped by parties unknown.

Gallion learned of the threat against his wife when he received a telephone call from Mrs. Gallion in Montgomery. Mrs. Gallion had just left a hotel in Columbus, Georgia, two hours earlier, where she had been visiting her husband.

Obviously frightened, Mrs. Gallion told of answering her telephone that was ringing as she entered her Montgomery home, about eighty miles from Columbus. The man's voice, she said, outlined her every movement after leaving Columbus, and warned her that everyone connected with the clean-up was being watched. She was told to get her husband off the case.

"If we can't get to him," the caller warned, "we can get to you or the children."

Gallion hastily arranged for his wife and two children to go away to a safe place in Florida, and continued on the job.

These were hopeful signs to all those involved in the

operation of cleaning up the gambling empire. It showed that the mobsters had their backs to the wall and were fighting back with the only weapons they knew—force and fear.

VIII

THE NARCOTICS RACKET

THE NEEDLE, THE POWDER AND THE PILL—these were the hellish trio that broke scores of lives in Phenix City where a disregard for law was normal, murder was permissible and the quick dollar was the goal. How those dollars came, and who suffered to supply them, was of no concern to the ruthless mobsters who ruled the city with an iron fist for more than twenty years.

Narcotics, like a fire in the blood, consume the health, the self-respect, the morals and the finances of the victim. Finally the very life of the unfortunate person so enslaved is burned away.

Dope and "goof balls" swept over Phenix like a raging forest fire in the late thirties and early forties, leaving in the wake more sorrow and devastation than can be imagined by those who have not viewed the results. Those results can be seen today in the pallid faces, the trembling hands, the bleary eyes and the emaciated bodies of the human wrecks who still can be found in nearly all sections of the city.

Surprisingly enough, there appeared to be little marijuana sold or consumed in Phenix City. Only one of the local sports is known to have thrown an occasional "pad," as a marijuana party is known. Occasional shipments of heroin were known to have come into the city, once considered by narcotics agents among the hottest in the nation. Most of the narcotics used in Phenix City were in the form of tablets of morphine or dialudid. The latter is a powerful narcotic, even more potent than morphine or heroin.

There is no type of investigation in the kingdom of crime that approaches in difficulty that of making a narcotics case stick. Those who push the drug are cagy, suspicious and ever alert for the informer or the double cross. To convict under federal narcotics laws it is usually necessary that a purchase

be made with marked money and the money recovered from the pusher, or that narcotics be found in the possession of the suspect.

Few narcotics cases were made during the vice cleanup, though a considerable amount of narcotics was seized or purchased.

On the heels of the local drive against vice and crime, came three agents of Federal Bureau of Narcotics. They were assigned directly from the narcotics bureau in Washington, D. C., following the appearance of a newspaper article. The story was a true account of how one popular high school girl from a prominent Phenix City family became addicted to dope and how it wrecked her own life and those of her father and mother.

The story was of a beautiful, vivacious high school girl, popular and talented as a dancer. In some manner, during her last year of high school in Phenix City, she started taking narcotics.

The girl was the only child of well-to-do parents. It was several months before the parents began to suspect the real truth of why their daughter's grades suddenly had gone down, and her usually sunny nature had been replaced by spells of crying, fits of temper and an air of secretiveness.

The father learned the dreaded truth when he found morphine in his daughter's room. He finally induced her to talk. She said she had been taking the drug for several months, but would not give the name of her supplier.

The girl was sent away to a sanitarium for treatment, and spent several months there. After her return home she went back on the needle, and her father worked with narcotics agents to find how she was obtaining the drugs. The investigation was successful, and both the girl and her male supplier were convicted in the U. S. District Court at Opelika, Alabama, in 1944. She drew a sentence and was sent to a government hospital where addicts are treated. She escaped and her family found her in New York, living with a group of drug addicts.

By now her youth and striking beauty were beginning to fade, and her dancing career was on the downgrade. The family spent thousands of dollars trying to help their only child. The parents later died—broke and broken-hearted. Today the girl, now a mere shell of her former self, is still seeking to satisfy her craving for dope in the gutters of a West Coast city.

That story was selected merely as an example of the results of dope traffic in the neon jungles that hid the drab dives of the city. Phenix City in the early forties had been top on the priority list of the narcotics agents who worked tirelessly to remove the threat from the vicinity of important military bases. They had succeeded to some degree, and at the time of the cleanup, the narcotics traffic was not of the great proportions in Phenix that it once had been. That was perhaps the only type of vice or crime that was on the wane before the Patterson murder built a fire under the rackets in the river town.

No one could deny, however, that dope was still a big problem and that addicts were able to obtain their supply. General Hanna ordered the formation of a special narcotics squad of Guardsmen and that squad began a campaign to cut off the supply. The dope sleuths first made out a list of known addicts. Some of these they picked up for questioning, in an effort to discover the sources of supply.

Working through an undercover agent, a former B-girl, the squad was able to obtain barbiturates almost at will, even in the midst of the clean-up drive. The girl also was able to obtain other narcotics, but from medical sources where it was most difficult to make a case that would stand up. The investigators discovered that most of the narcotics were being obtained through two certain doctors, while barbiturates could be purchased like aspirin.

The addicts themselves, fearful of cutting off their supply source, refused to talk. While some of them were being questioned, narcotics were administered to them in jail on

the order of the jail physician, who said that their lives would be endangered by an abrupt termination of the drug.

One such addict was Gambler George T. Davis, Sr., a co-owner with sinister C. O. (Head) Revel of the Bridge Grocery. Davis had been on the needle for years and freely admitted that he required three grains of morphine daily. Davis was among the first of the "old guard" of gambling to be jailed, and was held for several weeks because of the amount of the bond set against him in fifty-four gambling and lottery cases.

Once when Davis was not given the needle for several hours, he became violently ill and was rushed to Cobb Memorial Hospital, where doctors quickly administered morphine. Investigators learned that Davis received his morphine in lots of four hundred tablets at a time from an out-of-state source. He, like several others in Phenix City, could get narcotics on prescription if need be, because they had been addicted so long that doctors considered the drug necessary to keep them alive. When off the dope for a few hours, he was a pathetic sight, but within a few minutes after a shot in the hip he became his usual arrogant self.

A woman who operated one of the more notorious joints off the beaten path in Phenix, was "hooked" on dialudid and investigators said she consumed up to five grains daily to satisfy the habit.

While the older addicts were tragic figures, the younger members of the "jolting" fraternity were even more pathetic. During the past few years a number of the younger set had died directly from the effects of an overdose of narcotics, or as an indirect result of using drugs. Some had died at their own hands, unable to face life, entailed in the vicious drug habit.

The older residents of the city could recall those names. They could rattle off the names of others, young and old, who had gone to the sanitarium at Milledgeville, Georgia, or to the hospital operated by the government at Lexington, Kentucky, to kick the drug habit. A few of them did succeed,

but many returned to Phenix to take up within a few weeks or months where they had left off.

A corporal from Fort Benning was investigated by CID men who suspected him of selling narcotics. He admitted that he had bought dope from a man at the Oyster Bar, downstairs under the Riverside Café. The password for getting the stuff, he said, was "I want to pick up some jive."

A private from Fort Sam Houston, Texas, turned himself in, AWOL, on April 10, 1953, and surrendered a bottle containing six tablets which resembled amphetamine. He said he had bought and used dope in Phenix City. He made purchases, he told investigators, at both Bennie's Café and the Ritz Café for \$2.50 per capsule. He also told investigators that he had purchased not only heroin but draft classification and registration cards, and a Social Security card, from a man known to him only as "Eddie," who worked for a Columbus taxicab company.

During the days in Phenix when a "jolt" could be obtained almost as easily as purchasing a package of cigarettes, the rich market was supplied in part by a man who had escaped the current cleanup because he had made his fortune and got out of the rackets and into a legitimate business. While he was serving as the major channel for the drug traffic, he had his supplies flown in from Mobile and Savannah. His record and his former activities are well known to many residents of Phenix City, and he stands today as the apparent exception to the rule that crime does not pay.

It has paid him handsomely, and he has not yet been required to reap the harvest from the dragon's teeth he sowed.

After several weeks of investigation, members of the narcotics squad of the Guard stated publicly that they were faced with a nearly impossible situation. Certain doctors, they said, were giving prescriptions for narcotics and barbiturates to addicts, and the investigators were helpless to stop the semi-legal traffic. They called upon the doctors and druggists to cooperate in drying up the source of possible new addiction.

Shortly thereafter an elderly doctor, R. C. Prather, was questioned by Guardsmen when a former female associate of his was found shot to death. In the doctor's coat pockets they found almost a pint of barbiturate tablets and capsules loose. He explained that he kept them handy to give to patients who needed them.

While no local case has been made against any physician in Phenix City, the federal government did assess an income tax lien of \$106,000 against Dr. Prather. The source of the income, which the government claims the doctor did not report, has not been disclosed and the case has not come to trial at this writing.

On one occasion, National Guardsmen traced a supply of narcotics to the home of a farmer outside Phenix City. When questioned, the farmer showed the effects of narcotics, and finally led the investigators to a pig pen where a supply of the drugs, both morphine and heroin, was concealed in an old automobile tire.

The drug was seized and the man arrested. The supplier, however, had slipped through their fingers.

IX

THE QUEEN OF HEARTS

IN A TRUNK IN FANNY'S ROOM was a pile of letters. One of them fell onto the floor. National Guard Major E. Ray Acton casually picked it up and began to read.

"Dear Pal," it said. "Just got a hot flash. As a matter of fact, just heard it myself a few minutes ago. Fanny Bell has had one of her front teeth pulled. Don't you know she looks a sight. I guess it doesn't make a lot of difference. As for myself, it wouldn't matter if she didn't have a tooth in her head. It's that good p - - - of hers I love."

There, in an envelope, was the secret of Fanny Bell Chance's fatal charm for men. She had a popular commodity and she knew what to do with it to make it most effective.

Fanny Bell—Phenix City's original "Queen of Hearts"—came into possession of the letter the way she acquired many things. The man who received it was her sister's husband, a corporal, who forwarded the letter to Fanny from his station in Germany. He had gotten it from a soldier pal, one of Fanny Bell's several true loves whom she nourished and cherished.

Fanny Bell was a woman among women and a woman among men.

She knew what she wanted and she knew how to get it. She played her part to the hilt and kept the fires of love burning brightly in a half dozen masculine breasts simultaneously. All she asked in return was love and money, both given gladly, passionately, by the Don Juans who shared her bedroom.

Fanny Bell was not a whore. Not in the strictest sense of the word. She didn't sell her charms for cash to a different gent every night. Not for her was the policy of love 'em and leave 'em. Her credo was love 'em and milk 'em and love 'em

and milk 'em. One or two she loved for the simple joy of loving.

The voluptuous brunette, who knew how to get her point across, came to Phenix City in late 1950. She said she was twenty-nine, but she was being generous with herself. At least thirty five winters had come and gone since Fanny first breathed the air of this earth.

The mark of time was barely visible in the crow's feet about the eyes, the slight wrinkle of skin at the elbow, in the meaty section of the upper arm which showed the faintest indication of turning flabby. The girlish figure was with her yet and the slight signs that everyone, even Fanny, will grow old if they live long enough, affected her operations not at all.

Financial and social success for a B-girl or prostitute in Phenix City was unusual. Her income was split too many ways and her charms wore out too soon. By the time a hustler learned all the ropes, the ropes were pretty thin.

Not so, Fanny Bell. She went to work as a fourteen dollar a week B-girl. She played her cards close to her full bosom. Her husband, at that time, being a card sharp, had taught her this trick.

Fanny's husband when she flounced into Phenix was Patrick Chance. He was her fourth mate. They had been divorced and re-married, and when they hit Phenix City, Patrick Chance officially was husband Number Five. This state of matrimony ended on September 10, 1953, but although the bonds which had kept them together legally were cast aside, the two remained good friends, periodically declaring their undying love one for the other.

The fact that Fanny Bell married an Army sergeant on October 16, 1953, didn't put an end to her affairs with Chance at all. She didn't plan to give him up entirely. They corresponded regularly, met often, and loved frequently.

When Chance had a lucky day at cards, he'd send her money. It would come from Reno and Las Vegas and Miami and Chicago. There were times when he didn't win and

Fanny Bell would play turnabout by banking him during his dog days.

By 1953 Fanny could well afford to do so. She had listened and learned as a B-girl on Fourteenth Street. Her marriage to the sergeant was a step in the direction she had determined to follow. Her boy friend, at the time of the ceremony, was stationed at Fort Benning. After living with him less than a week, Fanny talked her husband into applying for an assignment in Germany. She told him she always had wanted to visit in Europe. What he should do, Fanny instructed, was to get to Germany and make arrangements for her to join him and she would pick up and skedaddle across the ocean to him.

Off he went, good trooper that he was. There he remained. Fanny Bell stayed behind. Fanny Bell's prime interest in her new husband apparently had been the allotment check that would be hers as a dependent of a GI. The check came to \$140 and it came monthly. Within about two years of the marriage, Fanny Bell was minus Husband Number Six.

So versatile was the Queen of Hearts that there were times when she was receiving government allotment checks from six different soldiers at the same time. This might constitute fraud against Uncle Sam. The soldiers, however, knew what they were getting.

Fanny Bell's romance with the Army was a continuous affair.

The sergeant hadn't been overseas long when the Queen picked up with another soldier who was stationed at Fort Benning. For a period of several months they shared the most intimate relations. Fanny signed love letters to him, "Your future wife." When they were apart, Fanny wrote she hoped she was pregnant so she could have a little junior by whom to remember him. The GI bought a house in Columbus and deeded it to Fanny. When she traveled to Mississippi, after her position of affluence had reached the proper proportions, the dogface accompanied her.

In his turn, the soldier would write fiery love letters to Fanny. He told her he was just an average man who appre-

ciated sex in an average way. Then he met Fanny and after that he couldn't ever get sex off his mind.

While this great romantic love was transpiring between Fanny and her new friend, she entertained Chance as he came and went from Phenix City, and acquired a new and most helpful suitor, Willis M. (Buddy) Jowers, assistant chief and strong-arm boy of the city police department.

Fanny lived with her sister, Betty Jo Thompson, whose husband was in Germany and knew both Fanny's husband and Fanny's latest GI flame. It was through this arrangement that Betty Jo's husband received the letter from his pal at Fort Benning about Fanny's teeth, and forwarded it to Phenix City for Betty Jo to show to Fanny.

Betty Jo kept her husband advised of Fanny's activities, writing him on one occasion that "Fanny said to tell you that she's now seeing 'Buddy' every day and night. He got fired."

"Buddy" did get fired for politicking at the polls on election day, but that did not come until after he and Fanny had enjoyed each other's company for months. In between times, they plotted how they could best take advantage of the services the other had to offer. A decision was reached and they decided to buy a Phenix City night club. At first they considered buying the Hi-Lo Club from Ernest Youngblood but for reasons best known to themselves, they didn't go through with the deal. Instead, they purchased the Cotton Club, a Negro night spot which specialized in gambling and slot machines.

As assistant chief of the police department, Buddy could guarantee there would be no raids and no interference. The importance of this detail could not be overlooked. Profits of the club would be greater for the owners because they would not have to pay protection money. Profits also would climb if the customers knew they could gamble at the Cotton Club with complete immunity from the law.

This partnership with Buddy was Fanny's greatest personal

triumph. From a fourteen dollar a week B-girl to a club owner was a gratifying accomplishment.

Fanny now could begin living in the manner to which she long had wanted to become accustomed. She acquired a comfortable home with air-conditioning units scattered throughout. She wore diamonds and she drove a 1954 Oldsmobile. All this and several lovers to boot. What more could a girl ask?

Chance seemed to be the one spark of true love Fanny let burn in her own bosom. All the rest of the men, she played for what she could get out of them: a house, an allotment check, protection in the rackets.

With Chance, matters were different. She didn't bleed him. Time and again she cautioned him in her letters to do nothing foolish because he was the real love of her life. Regardless of what else is believed about Fanny, this alone must have been the undisputed truth. For Fanny, the girl who took all and gave only of herself in return, her relationship with Chance was novel.

Chance was a shrewd individual who wrapped himself in an air of mystery. Major Acton—to learn more of Fanny's background—flew to Maxwell Field to visit Chance, where he was in federal detention, on Labor Day, 1954. Chance wasn't talking.

"Why should I?" he asked Acton. "There's nothing in it for me. What have I got to gain? I'm a man with a number."

And he didn't talk, not a word did he utter about his connections with the Queen of Hearts, or anyone else.

Chance seemed to be afraid of something or somebody. While he was in Las Vegas he wrote Fanny he was going to get himself jailed by the government. He went to a post office and, in the presence of witnesses, tossed a brick through a glass window. Sure enough, Chance was arrested and sentenced to a year and a day, but the judge thwarted him by putting him on probation. Chance had taken a gamble and lost. Not content, he violated his probation and was locked up at Montgomery, satisfied and happy, according to Acton.

As one of the brightest female lights in a city where too

many women walked in the shadows, the Queen of Hearts was bound to be discovered during the National Guard clean-up.

She was arrested on charges of possessing a gambling table, possessing slot machines, operating a public tavern and knowingly operating a gaming table there. Her racket partner, Buddy Jowers, loaded himself into a vehicle one dark night and left Fanny to furnish her own protection in the future. Fanny soon took the hint. She shook the dust of Phenix City out of her hemlines and headed for parts unknown. Guardsmen said they knew where she was, perhaps by keeping check on her three children in Mississippi; and that's where they apprehended her later. She was fined and sentenced to a year in jail.

If Guardsmen hadn't known her whereabouts, they would have had a good idea where to look: around a military post.

If you see her, soldier, she's getting a little worn now. You can bet she'll try at one more fling before she descends to slinging hash or liquor. The Queen was sexy when younger. She's a brunette, about five feet four inches tall and weighs one hundred and twenty pounds in the nude.

Who knows? She may be the woman beside you as you read this.

X

TOURISTS' GUIDE

AS A SPECIAL SERVICE TO READERS, herewith is recorded the official blue-ribbon, almost all-inclusive, Alabama National Guard listing of Phenix City's houses of fun and frolic. You could enter them, before the clean-up, at your own risk. Get on the roller coaster now and take a trip through what was the "business" district of America's wickedest city.

North side of Fourteenth Street, as though crossing from Columbus:

RIVERSIDE CAFÉ: Owned and operated by Glenn Youngblood. Soldiers were rolled and drugged. B-girls were bought off for prostitution. B-Girls were instructed to take drunk GIs to the Oyster Bar for gambling.

OYSTER BAR: Downstairs under the Phenix Finance Company. Owned and operated by Glenn Youngblood.

YARBROUGH'S CAFÉ: Owned and operated by Clyde Yarbrough and Stewart McCollister who also had interests in the Bama Club. Plenty much gambling.

BOONE'S CAFÉ: High knocker was E. V. Boone. Specialized in knockout drinks, rolling dogfaces, and running the B-girl pawn racket. Unconsumed beer was re-bottled and re-sold. B-girls could be bought for whoring.

HAYTAG: Glenn Youngblood was proprietor. Customers were drugged. B-girls could be hired for other purposes.

COFFEE POT: E. V. Boone and Glenn Youngblood were joint owners.

GOLDEN RULE CAFÉ: France Knighton, a gent whose motto was Do Unto Others Before They Do Unto You. This "café" actually was around the corner from Fourteenth Street on Fourth Avenue.

South side of Fourteenth Street, as though crossing from Columbus again:

DAVIS SPORTING GOODS & PAWN SHOP: William (Bubba) Davis was commander in chief.

MANHATTAN CAFÉ: Owned by the Davis' Enterprises.

SILVER SLIPPER: Owned by Davis' Enterprises, it was no place for a queen, offering gambling and prostitution.

MANHATTAN CLUB: Upstairs over Manhattan Café and Silver Slipper. Here was headquarters for the National Lottery.

SILVER DOLLAR: Rudene Smith and H. C. Edwards served tasty dishes of bed-bouncing, dice, and poker.

CURT'S CAFÉ: Operated by Curt Daugherty, who ran slot machines, poker, dice, lottery, prostitution, and rolled soldiers. (Not much left to do, was there?)

BLUE BONNET CAFÉ: Gambling, prostitution and tatooing while you wait. Your genial host: Frank Gullatt.

Now let's jump down to the Dillingham Street Bridge and start across from Columbus once more and look at the North side of the street:

BAMA CLUB and CORRAL: This was big-time stuff. It was widely advertised and attracted suckers from distant points. Reservations in advance often were necessary. Almost every type of gambling known to man (and Phenix City) which included poker, lottery, slots, blackjack, and parlays on football, baseball and basketball. Maintained a large stock of fireworks. Clip joint specialists were Stewart McCollister, J. D. Abney, Clyde Yarbrough, and J. D. (Frog) Jones.

YELLOW FRONT CAFÉ: Run by W. C. Roney and his son, Lawrence, who also operated the

514 CLUB: Both houses contained slot machines, dice tables, and were lottery headquarters. The buildings were owned by State Legislator Ben L. Cole, a silent partner to the Roneys for years. Next door was

GIRARD CLEANERS which served as a pickup station for lottery.

Crossing over to the South side:

BRIDGE GROCERY: Headquarters for C. O. (Head) Revel and George T. Davis Sr. of the Metropolitan Lottery. Inside

were roulette wheels, lottery equipment, business machines and an elaborate inside warning device.

NEW BRIDGE CAFÉ: Gambling under the sponsorship of David Griggs.

RITZ CAFÉ: Fat A. B. (Buck) Billingsley gypped the customers here with lottery and gambling.

602 CLUB: This was behind the Ritz. Andy Cook was in charge of gambling.

ABC STORE: Building leased to the state by Hoyt Shepherd and Jimmy Matthews.

ORIGINAL BARBECUE: Assorted gambling and command post for E. L. (Red) Cook's lottery.

BENNIE'S CLUB: Dice tables, slots, lottery records.

Hit Highway 431 and 80 for more festivities:

DIAMOND HORSESHOE: This pickup station for prostitutes was owned by Ernest Youngblood.

JACK'S CAFÉ: Jack Hunt ran a dice table and slot machines.

SUNNY LANE CAFÉ: Nobody was really "sunny" here except R. M. Lane, the big cheese of the joint.

241 CLUB: Gambling and prostitution for sale by "Buck" Bush.

HILLBILLY CLUB: Prostitution.

VETO'S TRAILER PARK: Prostitution on wheels.

SKYLINE CLUB: More bedroom enjoyment as well as gambling under the baleful eye of H. C. Hardin, Jr.

ELDORADO CLUB: William Henry Clark was in charge of gambling and fornication.

BAMBOO CLUB: A nice atmosphere in which to lose at gambling. W. T. (Bud) Thurmond, Jr., major domo.

RED TOP CAFÉ: Gambling.

SQUARE DANCE CLUB: Names and numbers of each and every whore posted on outside walls with semi-nude pictures.

CLIFF'S FISH CAMP: Should have been called a "cat" house, or possibly "catfish" house. Cliff Entrekin in charge of entertainment.

Time now to roll along Seale Road:

PHENIX CITY CARD COMPANY: Dice loaded, cards marked by the expert, Horace T. Webster.

431 CLUB and **THE CIRCLE MOTEL** and **CAFÉ** were field headquarters for Rudene Smith's prostitution racket.

CLUB AVALON: J. D. Abney furnished gambling for Negro customers.

NEW YORK CLUB: This was two blocks west on Stevens Street in the Negro section. It was owned by those merry men of make-believe, Stewart McCollister and J. D. Abney.

COTTON CLUB: For Negro trade, reached by dirt street South of exclusive residential section. Fanny Green, "The Queen of Hearts," MC'd the gambling and other activities.

Numerous other houses of ill repute, entertainment and gambling, such as "Ma" Beachie's, existed throughout the area but you have taken only the quick tour through the most heavily settled section of the county.

XI

BABIES FOR SALE:
ABORTIONS WHILE YOU WAIT

WAYWARD GIRLS WHO FOUND themselves about to be stuck with the fruits of their mistakes betook themselves to a rabbit farm on the outskirts of Phenix City, just across the Russell County line.

There, for a nominal fee, they received the services of an ex-madam by the name of Louise Malinoski. This forty five year old rum-swigging rabbit raiser, is now serving a prison sentence, after pleading guilty to inducing illegal abortions.

To investigators she admitted "about twenty five abortions" in the past three years, but the total is believed by National Guardsmen to be many times that figure.

In a city where so many girls of loose morals sold their bodies to any man with the price, the abortion business was always flourishing. Louise met the demand, unbeknown, she said, to her fifty-six-year-old husband, Joe Malinoski, a motorcycle mechanic.

If her activities were unknown to her husband, he must have been a modern Rip Van Winkle, because the harlots and enterprising B-girls literally beat a path to her door.

But not all of the unmarried mothers-to-be wanted abortions, nor, on the other hand, did they cotton to the idea of having a tiny tax exemption. For them, there was still another route. They could visit a prominent Phenix City woman and all arrangements would be made for a normal birth and a subsequent "adoption," with the mother serving as only the party of the third part in the deal.

The identity of this woman, and her equally prominent husband, is known to Guard investigators and to most of the residents of Phenix City. Their names cannot be used here because Guardsmen are still trying to find witnesses willing to testify against them.

The abortion racket and the baby sale enterprise operated in close conjunction. When a girl sought an abortion, she would be told of the "adoption service" and often urged to follow the latter course.

If she chose to have her baby, she would be sent where she could get a medical examination, and told to report regularly during the period of pregnancy. She never received any medical bills, and often would be provided with taxi fare and spending money.

When the labor pains started, the girl would be taken to Cobb Memorial Hospital by the woman who had arranged all details in advance, and admitted, usually, under an assumed name.

The foster parents would be on hand when the child was about five days old, and the baby would be handed over at a restaurant two blocks from the hospital.

The real mother went her way after a brief look at the child to whom she had given birth. The hospital records showed that the child was born to the foster mother, rather than the real mother.

Investigators have the sworn statements of a number of the mothers, and know the identity of many of the foster parents. They are scattered through many states and cities from South Carolina to Texas, and from Tennessee to Miami.

This practice has been going on for a number of years; many of the children are approaching high school age, not knowing that the people they call mother and dad are really no blood relation.

Some of the children are members of prominent Russell County families, and others carry the family name of some of the underworld figures who helped to make the town a resort for cutthroats.

Guardsmen found that the society woman sometimes charged as much as \$1,500 for arranging an adoption. Whether that included hospital bills is not a matter of record.

The mothers, themselves, could offer little information in this respect. None of them received any pay beyond an oc-

casual handout for taxi fare or a pair of hose. They knew only that their benefactor took care of all expenses in exchange for receiving the baby.

Some of the mothers know where their children are, and even visit them on occasion. That's a matter strictly between the mother and the parents-by-purchase. Others say they never knew the names of the people who received their babies.

State welfare agencies long have known of the existence of the baby racket in Phenix City, but either were unable or unwilling to stop it.

The laws dealing with such back door adoptions are uncertain and indefinite. Some prosecutors say that in order to get any type of conviction, they would have to go a round-about way of charging the operator with contributing to the delinquency of a minor, or some charge equally vague and remote from the point.

The woman who headed the racket was known to have a waiting list for babies as they became available, and some childless couples had to wait two years for their order to be filled.

Perhaps much could be said in defense of such a system, which took babies from unfit mothers and placed them, as often as not, in homes where they would be cherished and loved. But the sale of human flesh, like pigs at the stockyard, is not the most ideal method of accomplishing the goal.

Like everything else in Phenix City, babies had price tags. A couple with an unlimited budget could become parents of a large family with practically no effort at all. But here, babies definitely were not cheaper by the dozen.

Investigators working on the baby sale racket found that foster parents were reluctant to talk—understandably under the circumstances, since most of them have kept the facts of parentage from the children involved.

The investigators did not face the same difficulties in putting the arm on Louise, one of the most active abortionists in the territory. Plenty of her patients were willing to talk when Guardsmen turned on the heat. Much additional information

was obtained by a blond strip artist whom the Guardsmen employed to get the facts first hand. She visited the rabbit ranch on the pretext of wanting an abortion, and discussed such drab matters as prices and methods, over midafternoon cocktails.

The stripper learned that Mrs. Malinoski performed her operations in the dining room of her home, and kept her rubber tubes, probes and accessories spread about on a table.

Capt. Richard A. Peacock, a Birmingham *News* reporter in civilian life and aide to General Hanna in the Alabama National Guard, headed the investigation which smashed the case and sent the abortionist to women's prison at Wetumpka.

After her arrest, the Malinoski woman protested her innocence, even while the evidence against her mounted. Guard Sergeant Johnnie L. Rancont, Birmingham, decided to devote a night to talking to the suspect. At 5 A.M., on August 30, 1954, Louise decided to talk. First she called her husband to tell him she was going to tell the truth, and to inform him of her activity in the past few years. Then she began her story.

She performed abortions, she said, because she was "big hearted" and hated to see girls in trouble. She could remember about twenty five instances on which she passed out her particular brand of charity and acts of kindness.

The squat, hard-faced woman had learned her trade, she said, from a woman who had had three abortions herself. She had gone into the business about three years before her arrest, she added.

The teacher had an ulterior motive for imparting the learning which she had acquired the hard way. Mrs. Malinoski agreed to perform her next abortion for free.

The teacher's first abortions had been performed "by a woman down on Sixth Street," she told her new pupil.

How Louise got into the commercial side of the abortion racket was a bit vague, as related by the accused woman. Somehow the word got around. "It spread just like the wind getting under a fire and whipping it in all directions," she explained.

Soon she found her home besieged by young unmarried girls and married women. "I saw lots of girls but turned most of them away," she said. She didn't explain why her charitable impulses extended to certain girls in trouble, but not to others.

"I did it more on young girls because I felt sorry for their mothers . . . a lot of them were school girls and others were married women with their husbands overseas.

"I guess I did it twenty-five times, but there were not that many people," she recalled. "An ex-policeman's wife was my first visitor and she came back three more times."

She said that most of the girls "were only five or six weeks gone and it was fairly simple to do the trick. They paid me whatever they had. The last one gave me only \$10, but I have got as much as \$75."

Nobody, least of all the investigators who probed into the messy facts of criminal abortions in the Phenix City area, believe they have broken the back of the abortion business with the arrest and conviction of one operator. In the shadow of the huge military installations at Fort Benning and Lawson Air Force Base, the demands for the services of an abortionist are high among the thousands of camp followers and the teen-age set who fall too hard and too completely for the glamor of a uniform.

The investigators picked up many trails, some of them leading to doctors in Phenix City and Columbus, who didn't hesitate to perform an abortion for fees of \$250 and upward.

Mrs. Malinoski said she spent more than half the money she made on whisky and in paying fines for drunkenness. She admitted she had a long record of arrests for drunkenness, and said she always paid off without standing trial.

In her trade, Louise must have been pretty good. Investigators could find no cases, traced to her, in which the patient had died following the illegal operation.

Her method was simple. By the use of a rubber tube inserted into the womb, she caused a miscarriage. The tube was left in place for several hours, and if all went well, the patient

took things easy for a few days then resumed her normal activities.

An innately shrewd woman, Louise had two great faults. She loved whisky and conversation. Both contributed to her downfall when investigators got on the trail of the abortion racket. After her decision to make a clean breast of her past activities, she talked freely to anyone who would listen.

She was pleased to find, she said, that the food served in the Russell County Jail by the National Guard, was of a much better quality, and cleaner, than what she had been used to there in the past. Charges against her were first brought in Russell County, but the cases were later made on new warrants sworn out in Lee County, where she lived when the abortions were performed. Five cases were made against her to which she pleaded guilty.

Her hopes of obtaining probation were shattered when the judge ordered her to serve her time behind the grim walls of the prison. She broke down, declaring that she would become a church member when she got out and would attempt to make it up to her husband and to the grandson she was raising.

"I'm through," she sobbed. "I'll never be big-hearted again."

XII

COLLEGE FOR SAFE-CRACKERS

EXPERIENCE IS THE BEST TEACHER.

It was this predicate on which C. O. (Head) Revel organized his college for safe-crackers and set up Johnnie Benefield as his Number One, magna cum laude, professor. Revel had the brashness, the tongue, the force that some people consider important to a successful college president. Benefield had the background of experience and know-how.

Benefield possessed another attribute. He didn't teach his trade to outsiders. To inquisitive busy-bodies he maintained an attitude of dignified shut-mouth.

Between the president and the professor, safe-cracking became a fine art in the States of Alabama and Georgia; sometimes even leaking over into Florida, Mississippi, and Tennessee. Naturally many loners and gangs operated independently of Revel, but he directed a number of the safe-cracking expeditions which sallied forth in the great Southeast.

While Revel spent a goodly portion of his time master-minding lotteries, he was never too busy to devote his talents to the safe-cracking which he loved so well. His crew would spot a likely looking business and draw up plans on the best method of busting in the store and opening the safe. Once the feat was accomplished, much of the stolen funds would land in Revel's gambling emporium. This was his private means of financing his illegal operations.

A strong right arm for Revel was Joe Allred, a gent who ran a filling station on the highway to Opelika. Across from his station was a barn-like building whose ownership to this day hasn't been finally determined but it was convenient to Allred as well as to the rest of the gang. It was a storehouse and workshop where all forms of tools were on hand. Not only did employees repair gambling equipment there, but they

manufactured their own burglar's tools, sometimes built to specifications for a given job.

Benefield had in his possession a set of the best burglary tools some police officers had ever seen. This gear was found in a revved-up Hudson, one of the fastest cars in Alabama, when Guardsmen raided Benefield's home in mid-summer of 1954. He had not one but three high-powered cars sitting in his yard. The Hudson was confiscated and put in the county jail yard while Benefield was given a nice suite in the jail itself.

Benefield claimed he was a carpenter. Better to do his job, he carried in the trunk of the Hudson a crowbar, a long-handled sledge hammer, a thirty-foot, one-inch thick piece of manila rope, soft-soled shoes, two saws, a pair of coveralls, a tarpaulin, an electric drill, two Z-shaped pieces of heavy cast iron, and other such oddments. Nowhere was there a nail or a hammer.

For the uninitiated, the "carpentry" tools which Benefield had could be put to other uses. The rope, for instance, was handy when a second story man chose to let himself down through a skylight. The soft-soled shoes would make a marauder catlike on his feet as well as deaden the sound of the creep as he worked his way across a wooden floor. The tarpaulin was thrown over windows so a nosy individual would not wonder at a glare coming from a darkened room at 2 A.M. Such items as the drill, the crowbar, the Z-shaped metal, and others all played their part in peeling, punching, or blowing a safe.

A good safe-cracker can bore a small hole alongside the combination to the safe. With a light on his forehead, similar to, but smaller than those on miners' caps, he can peer into the tumblers to watch them fall as he twirls the dial. This form of safe-busting also requires a sharp ear.

This was a tedious way of getting inside the depository and sometimes tiresome if the combination did not respond quickly. Benefield, as well as the students who studied in Revel's

college, carried equipment with which they could crack the safe violently rather than by the gentle method.

Not always but occasionally the crew found it expedient to remove the safe from the building and complete the task in wide open spaces or in a secluded rendezvous where the danger of outside interference was reduced to a minimum. One mark common among all safe-crackers is that they never return the safe. This is a safety precaution, as it were.

Benefield's home contained a number of other items which the average carpenter finds unnecessary in his work. There was, for example, a .38 caliber pistol.

Now some people do reverse pistols and use them as clubs. Carpenters, though, find this an unsound manner of hammering and, unimaginative though it might seem, they prefer a hammer to a pistol for driving nails. A drawback to the pistol, also, is that it has no claws with which to extract a badly-driven nail.

In Benefield's home were dice, dice table covers, and thousands of chips. While an unhappy home-owner here and there may complain of being held up by a carpenter, few of them ever recall a carpenter offering to roll them high dice, double or nothing, for the woodwork job.

Benefield got his start in the underworld, and drew his first rave notices, when he was arrested in Carrollton, Georgia, for a murder attempt. After that, he began leaving the rough stuff to the other boys. He was a man small of stature who preferred the quieter, more studious aspects of life, although the opportunity and chance for advancement in the safe-cracking field strongly appealed to him. Like all boys who wish to get ahead in their chosen profession, Benefield determined to be a good safe-cracker.

He was. His reputation was established throughout the Southeast.

Benefield must have been a success. Without any visible means of support, he possessed the three high-powered, late-model automobiles and was a family man to boot.

The way Benefield claimed to have acquired the Hudson,

which got him into so much trouble, throws a highlight on the manner in which President Revel's college operated. Benefield's story was that he loaned fifty dollars to a Negro named Charlie Little, took the Hudson as security and had never looked into the trunk. Little said he had picked up the car from another Negro, Robert Johnson, who no longer needed the vehicle for Johnson had pleaded guilty to participating in the safe-cracking of a hardware store in Fitzgerald, Georgia, on October 31, 1953. He was given a prison sentence of from three to five years.

The Fitzgerald job turned out to be a real bamboozler. As much as \$123,000 was said to have been stolen in that job while an additional \$100,000 in jewels, in a cigar box within the same safe, was overlooked. The store owner, J. H. Dorminy, Jr., said the figure was way too high.

The Dorminy job was planned by the underworld, in one of Revel's several headquarters, and the assignment was awarded to a minor Phenix City figure named James Bush. Missions were parceled out on the basis of competitive bidding. The outfit which promised to cut Revel in with the biggest commission would get his blueprints on the place he had cased. So Bush was high bidder and the chore was his.

Bush had been in the process of making a name for himself.

In 1936, he had been convicted of second degree burglary and given three to four years. Ten years later he was arrested in connection with a \$14,000 bond theft from a motorcycle company in Columbus, Georgia.

His most famous feat did not occur until May 9, 1950. Bush at that time, ran a joint known as the Spider Web. He employed a nineteen-year-old boy who, earlier that day, had been the subject of a warrant sworn out by Lester Davis, a former Florida club operator, on a charge of attempted auto theft. The accusation maddened Bush.

That night he and the youth waited for Davis to get into his own car. When Davis did, Bush gunned after him, down the main street of Phenix City. Careening through the area at eighty miles per hour, Bush opened fire on the fleeing Davis

and while he missed the target he did manage to hit two houses which happened to get in his way, and almost scared the occupants to death.

They hadn't heard shooting like that since the last two attempts had been made on Hoyt Shepherd's life in similar automobile races.

Bush and his companion were arrested and charged with assault with attempt to murder. Bond originally was set at \$10,000 each and later reduced, in keeping with Bush's reputation of being able to talk himself out of a straitjacket.

A fun-loving fellow who always was ready to crack a skull or a safe, or play a prank, Bush was a handsome chap, the comedian of the mob. He generally was well liked even by those who opposed the racket rulers of the city.

Once Bush climbed atop the Manhattan Café on Fourteenth Street, hauling an air gun with him. As soldiers from Fort Benning legged it across the bridge spanning the Chattahoochee, Bush gleefully watched their pained expressions as they grabbed for the seat of their pants when the air gun pellets struck true.

This continued for half an hour on the warm Spring night, but discovery was inevitable as more and more habitués of the sin dives drifted out to watch the fun.

When a pellet slapped like the sting of a wasp against the thigh of a husky paratrooper, the soldier turned quickly enough to glimpse Bush ducking behind a ledge of the building. The GI swung to the top of a filling station and thence to the roof of the Manhattan after his tormentor. Ever ready for a fight, Bush cracked his rifle across the soldier's head, but it didn't faze the enraged trooper.

As the throng in the street watched the roof top battle-royal, it appeared Bush was about to suffer one of his few defeats in hand-to-hand combat. The soldier knocked him down. They rolled over and over until Bush grabbed a loose brick. He swung it viciously at his assailant's head, but as the dogface squirmed away from the blow that would have brained him, the brick slipped from Bush's hand and crashed

through a skylight into the "Hawk" Howard Poker Room.

Howard, wearing a hat he probably never removes except to have a haircut, was in the process of dealing. The brick breezed past his hat brim, knocking it from his head, through his arms, and bounced off his chair onto the floor. Without taking his eyes off his stack of chips, Howard whipped his pistol from his holster, pointed it skyward and emptied it through the roof, forcing Bush and the soldier to jump for their lives. Howard never changed expression and never took his cigar from his mouth during the entire episode.

Bush, himself, on another occasion, used the poker room with a buddy to outwit Blink Roberts, one of the area's shrewdest poker masters.

Bush tied a string around his toe, ran the string through a wall and fastened the end of it to his partner's pants leg. He took up a position behind the wall from which he could see the hand held by Roberts and some of the other players. By jerking the string with his toe, Bush informed his friend when to bet and when to fold. The skullduggery was discovered and Bush and his cohort were lucky to escape with their hides intact.

This was the man selected to take charge of the Fitzgerald enterprise. Before he could move in, however, word of the impending burglary ticked out over the underworld grapevine. Henry Crawford heard about it while he was in Columbus and the size of the plum appealed to his love of the finer things in life. Crawford figured the task too important to be trusted to Bush and organized his own brotherhood to bust into the store ahead of Bush.

With three Negroes, Crawford made his *coup d'etat* on Halloween night. The safe was six feet by four feet and required three hours to open. Crawford's outfit first knocked off the combination and tried to punch their way inside. When they were unable to make headway, they used a crowbar to force a crack at the upper edge of the righthand door, then inserted a lever bar from a metal cutting machine.

As they pried the door, a vial of tear gas broke. One of

the men fell prostrate to the floor but the others continued their task.

After successfully peeling the safe, in a manner which would have done credit to one of Revel's students, Crawford and the Negroes took the loot to a garage in Fitzgerald where Belmont Denniston and his wife, Mary McCollum Denniston, awaited them. Here a division of the spoils was made. The Dennistons both were to receive \$10,000; two of the Negroes were to get \$9,000 each and the third was to pick up \$2,300. Crawford, as the brains, was to keep what was left.

News of the safe-cracking hit the front pages the next morning. Bush, in Phenix City, learned who was behind it almost immediately when one of Crawford's Negroes bought Bush's Cadillac with twenty \$100 bills. In this way Bush found out who had beaten him to the punch—or, the peel.

Man of action that he was, Bush telephoned Crawford time after time at the latter's home in Blakely, Georgia. He demanded a share of the plunder, threatening Crawford with death if he wasn't cut in on the swag. Crawford refused to budge. Bush, tired of the conversation, told Crawford on November 14 that he was coming to Blakely to get his divvy or kill Crawford. Not one to take a threat lightly, Crawford notified the Blakely police that his life was in danger.

Bush arrived after dark with two unidentified men who remained in the car while Bush went inside. Crawford sat in a chair with a .38 pistol in his lap. Bush gave him no time to use it.

He strode angrily up to Crawford, grabbed him by the neck and began shaking. Out from behind a door, where he had hidden for just such an emergency, stepped Harold Griggs. His first shot struck Bush in the back of the head and the Phenix City tough man fell bleeding to the floor. Standing over him, Griggs emptied his revolver into Bush's neck and head.

Police swarmed into the house. Crawford had asked them to wait outside in the belief that if Bush saw them he would

act the part of just another nice fellow calling on a friend. Crawford and Griggs both were arrested and later sentenced to life imprisonment.

The Dennistons were given time as were the three Negroes who had helped pull the job. Members of this gang, it was learned later, had been wanted in Columbus and Russell County for burglaries of a restaurant, a finance company, a peanut company and other business houses.

Pallbearers and honorary pallbearers for Bush were, among others, "Head" Revel, Wayne Revel, Frank Gullatt, Horace Webster, Ernest Youngblood, Ernest Allen, W. T. Thurmond, Jr., and France Knighton. These gallants were, for the most, night club owners in Phenix.

At Harold Griggs' trial, his defense attorney asked a witness, "Don't you know Revel is the head of a gang of burglars, dope peddlers and various other things like that?"

"I never heard of it," replied the witness.

A portion of the Fitzgerald cabbage found its way to Revel's gambling house on Dillingham Street. There, Charlie Little won himself a portion of it. Little and Revel appeared to be good friends. The Negro owed Revel \$1,600 and the only security he put up was his word as a gambler, while for the fifty dollars he owed Johnnie Benefield, he had to fork over a Hudson with a souped-up motor, a siren, and a trunk full of "carpentry" tools.

At Benefield's trial for possessing burglary tools in 1954, Solicitor George C. Johnson of Athens labeled Revel the "grand cyclops and chairman of the board of a crowd of burglars."

There was no doubt that he ran many institutions, not the least among them being his college for safe-cracking. A pupil was never too young to be enrolled. The fifteen-year-old son of a member of the faculty was arrested for stealing eighty-two dollars and then given probation. Within a few weeks he had taken a twelve-year-old accomplice on a mission where they stole an automobile battery. They returned to the same

house the next day to lift several other pieces of equipment which had appealed to them.

Alabama National Guardsmen tracked the boys down at their school. They instantly admitted their wrong-doing. The younger was put in the custody of his parents while the fifteen-year-old boy had to spend a couple of nights in jail while authorities decided what to do with him. When he was released, he strutted out of the jail smiling broadly and shook hands with his grinning father.

It was almost like millions of other fathers meeting millions of other sons coming home from college. Only this time, the father probably was taking his son to college—the college for safe-cracking.

Revel's students now and again failed in their examinations and those who did ended up serving time. Johnnie Lee Vann and Willie Pope, both Negroes, and Thomas H. Smith flunked at crucial times. Revel and his bosom companion, Chief Deputy Sheriff Albert Fuller, went to Uniontown during Pope's trouble and interceded for him but were unsuccessful. When Smith went to trial in Barbour County, Professor Benefield was at his side and advised him to plead guilty.

For tuition, Revel would accept automobiles. They were actually taken in lieu of gambling debts and stored in an underground lot beneath the Bridge Grocery, which had room for eight to ten cars.

So widespread was the Revel notoriety that people knew where to look when their property was burglarized. When the Carpenter Tobacco Company was busted into by thieves on December 13, 1952, the owner contacted Revel to find out who was responsible. Revel advised him to see Chief Fuller.

Carpenter not only saw Fuller but demanded full payment for the \$800 worth of merchandise stolen. Fuller paid him at the rate of \$200 monthly which he in turn had obtained from E. L. (Red) Cook.

If "Head" Revel ever is jailed, authorities had better seal him into a room on which no locks are required. Otherwise,

one of his former pupils is likely to come around with a hairpin or a shoelace or sensitive fingertips and open the gateway to freedom for his ex-boss. Revel would know just what to do with such an opportunity.

XIII

THE INFORMATION LINE

THE MORNING MAIL ON July 3, 1954, brought four small, plastic discs to Russell Betterment Association Leader Hugh Bently, and thereby touched off the most sensational developments ever to rock Phenix City's underworld.

The reverberations were felt in Georgia, as well as in Alabama, and were to start a Grand Jury in Columbus, Georgia, on a probe that ended with a blistering report of censure for a city commissioner.

The plain manila envelope which Bentley fished from his mailbox at the Columbus Post Office, contained recordings of telephone conversations between Gambler J. Hoyt Shepherd and a host of political figures, gamblers and assorted hoodlums.

Bentley had been alerted by an anonymous telephone call the day before, and told that he would receive evidence bearing on the fight against crime. Bentley informed MacDonald Gallion, the personal representative of Governor Persons, of the call.

When the mail arrived, Bentley again called Gallion before he opened the package. Along with the discs were instructions to the effect that these recordings should be played before investigators and newspaper reporters.

In the backroom of Bentley's sporting goods store in Columbus, a record was put on the player as those gathered around waited impatiently. The first voice was that of Shepherd. He was talking with Jesse Binns, a member of the City Commission of Columbus.

For two hours the small group gathered in Bentley's store listened to the telephone conversation which had been preserved for almost five years. While everyone agreed it was a highly interesting development, no one seemed to know how it should be handled.

The "phantom wire tapper" had promised that if the

records were played and publicized, there would be others forthcoming.

Five days later, on July 8, Bentley got another telephone call. It was "the phantom" again.

This time the caller suggested that Bentley walk down the street a few steps and look in a telephone booth for a package. The delivery details are disclosed here for the first time:

When Bentley entered the small restaurant where he was to pick up the package, he saw a man inside the telephone booth. The man was dressed in coveralls and carried the tools of a telephone repairman. He seemed to be tinkering with the telephone.

Bentley hesitated for a moment, then walked toward the booth. The man glanced up from his work then turned quickly away. The RBA leader remarked that he had left something in the booth, and picked up a paper-wrapped package from the man's feet. As Bentley walked away, the "repairman" left the booth and hurried off.

The wire tapper had kept his word. Inside the package were two hundred and six more green, plastic discs.

For the next four weeks reporters listened for an average of eight hours daily to the recording sessions. Day after day headlines screamed out the secrets of fixed juries, corrupted public officials, details of murders, safe crackings, narcotics and gambling operations.

The secret of the wire taps and the phantom wire tapper became the chief subject of conversation in Alabama and a large part of Georgia.

The first of the records played disclosed that a Columbus City Commissioner had promised Shepherd to fire the chief of police, whom Shepherd disliked. The Commissioner, Jesse Binns, discussed slot machines and gambling at length with the Phenix City slot machine king. He also sought political advice from the politico-gambler.

On another record Shepherd promised Godwin Davis, the gambling figure, to go to the Courthouse and "steady things,"

when it appeared that trouble might be brewing in the gamblers' paradise.

The recordings left no doubt that Shepherd was "Mr. Big" in Phenix City. To one caller, who wanted special information, Shepherd gave complete results of an election which was yet to be held.

Always master of the situation, Shepherd advised calm, when the wife of C. O. Revel shot the wife of another racket figure, Clyde Yarbrough. Shepherd said that the newspapers probably would not cause much trouble over the shooting because only women were involved.

Nora Revel, who taught a class of "Sunshine Girls" in a local church, fired three shots into Mrs. Yarbrough when she found the woman parked in a car with Nora's husband. Mrs. Yarbrough did not die, but she caused a few anxious hours among the gamblers who were afraid that it might direct public attention on the Phenix City vice operation.

Shepherd, as usual, took complete command. He quickly restored confidence to the gambling fraternity, and then turned to his more pressing business of lining up a Chicago liquor dealer to handle slot machines for him in three counties in Maryland, including the county abutting on the nation's capital.

Gamblers from many parts of the country were frequent telephone callers, and inter-state gambling was discussed. Shepherd expressed an interest in Florida, Louisiana, Mississippi, Alabama and Maryland. He talked freely of the Phenix City operation, and on one occasion told Commissioner Binns, of Columbus, that he had his house "full of slot machines."

The Bama Club, which he operated, was booking horse bets as well as running dice tables and many other forms of gambling, and he discussed all this with certain of his callers.

As the little green plastic discs continued to spin, Shepherd talked of gambling payoffs, of attempts on his life, and of the Johnny Frank Stringfellow murder. He tried hard to insure the conviction of Revel, Godwin Davis and Joe Allred

in that case, and discussed evidence against them with law enforcement officers both in Georgia and Alabama.

On one occasion, he said that he had been told Davis and Revel were behind one of the attempts on his life, and added that if he knew that to be true he would leave the country.

But whether or not he believed his gambling cohorts had attempted to kill him with a shotgun blast fired into his car, he pulled every trick to insure their conviction of murder.

Later he was to deny to the two racketeers that he had urged their conviction in the Stringfellow case, and accused newsmen of a deliberate plot to split the gambling fraternity.

The recordings revealed that the wily Shepherd was well versed in gambling laws of all states, and that he was sought out for political advice by politicians and political hopefuls in many parts of Georgia.

On one occasion he told Phenix City Commissioner, Elmer Reese, that if he didn't stop taking "them pills" he would wind up on the needle.

Reese remarked that he had taken some tablets one night the week before on Dillingham Street, and wound up in Miami, adding that he was "through."

Reese was later to become mayor. After the cleanup started, he was charged with willful neglect of duty, and told that unless he resigned his office, impeachment proceedings would be started. Reese later pleaded guilty to the charge of neglect of duty and was fined. On that same day he tearfully handed his resignation in to his fellow commissioners.

Reese, a druggist, who beat the machine in 1939 on a reform ticket, later became one of the principal cogs in the political setup of the city. On one occasion he pleaded guilty in Federal Court at Opelika to a charge of selling barbiturates without a prescription. He was fined but not required to serve a prison term.

Shepherd often expressed concern over the drinking habits of Reese, and discussed this behavior with friends on the telephone. On one occasion, a friend told Shepherd of hauling Reese in a drunken condition from one of the night spots.

Shepherd suggested that the friend employ stern measures to keep the City Commissioner on the wagon in the future.

The gambling operations and political maneuvers were fully discussed on the recording discs. No doubt remained that Shepherd was the political, as well as the gambling boss of Phenix City and Russell County, holding the fate of office holders in his hands. He was only slightly less influential in Columbus.

The recordings disclosed, too, that Shepherd suspected a Russell County deputy sheriff in one of the four attempts to kill him. On one occasion, he told a caller that he thought a recent attempt on his life was made by "that girl; a freckled-faced boy or a deputy sheriff."

He offered a large reward for information on his would-be slayers, at the same time expressing doubt that he would be willing to prosecute in event he found out their identity.

Shepherd knew that his telephone line was tapped, having received four of the recordings through the mail in 1949. He often discussed the tapping of his telephone, and sometimes warned callers that their conversations might be recorded. He offered a reward of \$25,000 for information leading to the identity of the wire tapper.

But knowing that his line was tapped, and that his conversations might be overheard by unfriendly ears, did not deter Shepherd from talking at great length to anyone who called. He was a confirmed blabber-mouth, a fact which often caused concern and discomfort among his associates.

The recorded conversations could roughly be divided into four categories: Personal family matters; business calls dealing with gambling or politics; top-level strategy matters with Shepherd's partner, Jimmy Matthews, Sheriff Ralph Mathews, Commissioner Binns, or other political figures; conversations dealing with the Stringfellow murder or with attempts on Shepherd's life.

Listening reporters skipped through the personal conversations and little of these reached the newspapers. They often

concerned Shepherd's first wife, a confirmed alcoholic, who talked drunkenly about divorce.

Odd though it seemed, it was Mrs. Shepherd who wanted the divorce and Hoyt who kept putting it off. On several occasions he promised to sign the divorce papers the first time she called him when sober.

She pointed out that this meant never, as she had no intention of ever being sober.

Josephine, whom Shepherd later married, answered many of these calls, and sometimes the verbal exchange would become heated with harsh name-calling. But Josephine seemed tolerant of Mrs. Shepherd, and on many occasions would obtain medical aid for her without mentioning it to Shepherd himself.

Perhaps she felt she was in a position to be charitable toward the woman she had superseded in the affections of the gambling man. Her new position lent prestige and enchantment to the former high dice girl, and she wore the new mantle with grace and forbearance.

At home, Shepherd was a frugal man who wanted every buck spent to bring a full dollar value. The man who thought nothing of wagering \$25,000 on a gambling table complained about the price of a movie.

He would regularly question Josephine about the price of things she purchased, even groceries and drug store items. He had a second-hand tractor in use on his farm located ten miles from Phenix, and he spent much time shopping around for used parts to keep it running.

Under the heading of business, however, he spoke of money as a mere commodity that was necessary in the building and running of a huge political and gambling empire. He was always open to a good business tip and could analyze it quickly, figuring from his own vast store of experience the mathematical probabilities of success. On one occasion he told a caller that a commercial swimming pool was the poorest type of investment, and listed facts and figures to prove his point.

As a business man, Shepherd knew that dollars poured into the right political channels could return a flood of profits, directly or indirectly. He and his associates were never miserly in contributions to political candidates who met their qualifications. Shepherd talked of putting money into a city race in Columbus, as well as all kinds of elections in Russell County and the state of Alabama.

On one of the records he discussed with Matthews the amount they should contribute in a Congressional race in their district, and in the same conversation, decided to give "twenty-five" to the campaigns of Alabama's junior senator, John Sparkman, and Georgia's senior senator, Walter George.

It is to be supposed neither of the two senators knew that they numbered Shepherd and Matthews among their financial supporters at campaign time. On at least one occasion, however, the suave Matthews was received in Washington's highest political circles, and had his picture taken in a group which included Senators Sparkman and Lister Hill, of Alabama, and several House members, including then-Representative Laurie C. Battle, whose district included Birmingham.

The "twenty-five," which the gambling duet decided to contribute to Sparkman and George, was not further identified or explained. To those who knew best the political operations of Shepherd and Matthews, however, the figure mentioned did not mean twenty five dollars, but could have meant any multiple of that amount.

The recordings revealed how agile Shepherd could be on his political feet when he had backed the wrong man—which didn't happen often.

He once agreed with a friend that the election of James E. Folsom as Alabama's Governor in 1946 was an "awful thing," but he wasn't long in getting his political fences in repair.

A candid conversation between Shepherd and Commissioner Binns began with the gambler saying that he had an engagement to meet one of Governor Folsom's brothers, who had just come into town.

Binns: "That's an awful thing Alabama has done."

Shepherd: "Awful."

Binns: "Oh, it is. You'll agree with that, won't you?"

Shepherd: "You just don't know. You don't know."

Binns: "What do you mean by that?"

Shepherd: "Some time you come over here and I'll tell you confidential some stuff I know is going on."

Binns: "Well, I'll run over some night now."

Shepherd: "There is an old boy over here fixing to get \$100,000 worth of insurance and one of them whisky accounts."

Binns: "Yeah?"

Shepherd: "They came over here and sold four or five thousand worth of those Forums." (Folsom's *Forum*, a political magazine.)

Binns: "Is that right?"

Shepherd: "Hell, yeah. I paid \$200 worth on buying them papers for voters to be sent around here. I get two a week. This is the damndest administration that ever was . . ."

Shepherd cautioned Binns not to repeat anything he had said about the Governor, and Binns replied, "Yeah."

Shepherd said Folsom "is all right in my book. He said he's got Russell County in his vest pocket." He quoted the Governor as remarking, "You know what I like about them fellows down there? They can produce."

Binns: "Well, he's a pistol, ain't he?"

The talk shifted to the race for delegate to the national Democratic Convention, and Shepherd told Binns that Folsom wanted them to support "those other fellows over there instead of Hill and Sparkman." He said that Mayor Homer D. Cobb had told Folsom he wasn't going to do it. (Cobb was mayor and machine boss at that time.)

Binns: "Cobb is a good man."

Shepherd: "They can't make him change it. He said he can't leave his old friends. He said, now, if it was Big Jim running it would be something else, but he's asking me to take his friends against my lifelong friends and he said 'I can't do it.'" Folsom later became a candidate for delegate and

announced also that he would accept the nomination for President, if offered to him. He was not elected delegate and his presidential aspirations—for the time being—were crushed.

Binns: "Well, I don't blame him for that."

Shepherd: "Well, we ain't going to do it. We may get in bad, but I think we can settle any bad situation we get into."

Binns: "You do?"

Shepherd: "Yeah."

Binns: "I don't doubt you can. You were against him to begin with and you settled that."

Shepherd: "Yeah, we're his first love now."

Binns: "That . . . sonuvabitch's getting it everywhere, ain't he?"

Shepherd: "I don't know if he is or not, but it's all around him." The buzzer at the door announced the arrival of Shepherd's expected guest, ending the conversation.

As the commander-in-chief of the gambling fraternity, Shepherd always was alert for possible danger, and met every threat in his own decisive way before it got started.

He left nothing to chance. He placed carefully selected members on every Grand Jury which sat in Russell County for many years, and was always sure of having enough friends on the Grand Jury to beat down any adverse report or indictment. When necessary the entire force of the syndicate would be turned loose on rebellious jurors.

The boss man maintained constant contact with the local officials. In one conversation with Sheriff Ralph Mathews, the sheriff told Shepherd that his chief deputy, Albert Fuller, was making "a little drive" because too many slot machines were being pushed into the city area where they were "piling up."

Shepherd thought that was a good idea, but wanted to be sure they didn't bother some machines he had loaned to City Clerk Jimmie Putnam. He said he was just trying "to make an operator out of Jimmie."

Sheriff Mathews said he would tell Fuller to handle the matter in the way Shepherd suggested. Shepherd told the

sheriff not to mention this conversation to Putnam. Shepherd said he would absorb Putnam's losses if the machines were picked up.

Shepherd did call Putnam, and assured him it was all right for him to operate. He warned Putnam in another conversation that the machines loaned him by Shepherd made liberal payoffs, and if they paid too much he should call C. C. Griggs and have him come out and block it out for you. But don't tell anybody what you're doing."

Shepherd talked of many things to many people. To Sheriff Ernest Howell, of Muscogee County, Georgia, he frequently talked about murders, especially the sensational Stringfellow murder already mentioned. Sheriff Howell, who has since been cleared by a Grand Jury investigation of any improper trafficking with Phenix City's gamblers, told Shepherd that he knew who was responsible for one of the attempts on Shepherd's life. Sheriff Howell asserted that the men who tried to kill Shepherd were supposed to be his friends. This upset Shepherd, who remarked that if he knew this to be true, he would leave the country. His children, he said, had been urging him to leave. Howell said it would be impossible to prove a case against the attackers, since nobody would appear in court to testify.

"They know it would be death if they do," the Sheriff said.

Shepherd brought up the subject of a body that had floated up out of the Chattahoochee, and asked the Sheriff if he knew anything about that. The body had been weighted down, but came untied and floated to the surface. The victim never was positively identified.

The Sheriff said he had some information on that but didn't know the man's identity.

Shepherd said the man might be "old Turk Hall that I told you about once." He said Hall was the man who first was believed to have done the Stringfellow job.

The conjecture of whose the floating body might be turned to Willie Pittman, the tax assessor's son, who had dropped from sight mysteriously a couple of years before. Even today

the disappearance remains shrouded in mystery like a score of other murders and disappearances of local citizens.

Next on the Shepherd information line was a Columbus lawyer Shepherd wanted to represent him in a slot machine case there. The talk turned to politics and Shepherd, the master politician, analyzed the coming election. He said Columbus was "pretty much an enforcement town," and added that the people would vote for the men in office if they didn't get too far out of line.

"I'm setting over here and looking at that town," Shepherd said, "and I see how those people vote."

The lawyer agreed that Shepherd could sit on the Alabama side of the river and "tell more about our politics than we can over here."

Shepherd complained that he was always being approached by candidates for financial support, and often contributed to all sides just to play it safe. "They expect the sugar out of me," he said, "and I can't go in there and give them both too much." He noted that such contributions were not deductible on income tax.

Shepherd returned again and again to a discussion of the attempt on his life in which he and Josephine both were wounded. Shepherd said the people who did it were local, despite the fact he had put out the word they were out-of-town professionals.

"If they had been professionals," Shepherd said, "I'd be kicking up daisies."

He said one of the men had used a tommygun, and that he could have gotten the federal government in on the case from that angle. He hadn't, he said, "because my shirt tails ain't so clean now."

Shepherd had a wry sense of humor, and liked to refer to himself sometimes as a "hoodlum." With a political race coming up, Shepherd talked with State Representative Ben Cole about lining up the candidates.

"Ben, don't you think that we should take Pittman [tax collector], Roberts [tax assessor], Shannon [probate judge],

the Sheriff, you, your brother, Dudley, Uncle Joe, four of the city commissioners and two or three of us hoodlums and have us a meeting and decide on these people? If we do it might keep a lot of them people from coming out and running."

A one sentence telephone call from an unidentified person informed Shepherd that "that fellow is back in town." This set off a chain reaction, with Shepherd and Matthews discussing information received to the effect that Head Revel and Godwin Davis were planning to hold up the Ritz Café, to get the \$30,000 in the safe. Davis and Revel had a simple plan, Matthews said, of throwing the night watchman in the river before pulling the job.

"They're no good bastards," Shepherd said.

The talk turned to a murder and Shepherd theorized that a man had killed his own brother while under the influence of dope, or to get money for dope. "They'd kill a baby for that stuff," he said.

Binns was back on the line, and Shepherd told him he was not going to keep any large amount of money at his home any more because he didn't want "folks coming out here and burning my toes to make me tell where it is."

Lum Griggs, one of Shepherd's gambling house employees, called next to say a "Mr. Folsom from Montgomery" was there and wanted to see Shepherd. Griggs said he didn't know which Folsom it was "but he looks just like Big Foot." That was the nickname for Alabama's towering Governor.

Shepherd invited the visitor to come out to his home and the offer was accepted.

A woman known as "Goldie" died in bed with Shepherd's estranged wife, and it looked for a time that trouble might be brewing. Goldie was the daughter of "Ma" Beachie, operator of the famous "Beachie's Swing Club." Goldie was a dope addict and died from an overdose.

The recorded talk between Shepherd and Matthews revealed that Goldie, shortly before her death, had been

drinking with a man " 'Snooks' [Grady Shepherd] had sent to have a good time."

Shepherd was worried about why the details of Goldie's death had been withheld from the press.

"There ain't no point in that," he said, "unless they are trying to find out who that fellow was she was with. . . . Them waiting like that, seems like they might be trying to jiggle it around someway."

That call was followed by one from a woman who said Shepherd's wife had just called for aid. She quoted Mrs. Shepherd as saying "they could give me twenty-five years, and now I don't know what to do."

The gambling boss seemed little concerned with that bit of information, but in another call he dispatched one of his house men, known as "Fats," to scout around Columbus as if looking for a job, and see what was going on there.

In quick succession, Shepherd discussed City Clerk Putnam; a meeting of the League of Women Voters in Columbus; a petition which he and a Columbus lawyer were having circulated; referred to two other Columbus lawyers as "the brains" and "fixers" and revealed that there was danger that some of Phenix City's spots might be placed off-limits by Fort Benning authorities.

Shepherd said Putnam would be after the probate judge job "hot and heavy if he knew he did not have to be a lawyer to qualify for the post."

The lawyer Shepherd talked to promised that he would have his wife propose a political resolution at a meeting of the League of Women Voters that afternoon. They talked about progress of the political petition they had "fourteen citizens" circulating, and gloated over the fact that they had a powerful labor organization lined up for the election.

Suddenly, the busy line brought news of more trouble brewing at home. This time it grew out of an argument in the Sheriff's office, which was discussed at length by Shepherd and his partner. Matthews said a man he identified as

Dalton, had told "J. D." (Mayor J. D. Harris) that Chief Deputy Fuller had told him he could open up and operate.

Shepherd received this bit of news with something less than enthusiasm, and turned to a fight between James Bush and Lester Davis, over some IOU's. They discussed Fuller at some length, and were distressed that the swashbuckling law officer seemed to be taking sides.

Shepherd asked Jimmy Matthews whether he had told Sheriff Mathews the latest about his Chief Deputy. Matthews said he didn't know what his partner meant.

"About Fuller propping Bush?" Shepherd said.

Matthews: "I'm not talking about that."

Shepherd: "I'm talking about Fuller propositioning Bush to go into business with him."

The partners got into a heated argument at this point, with Matthews saying "I didn't tell the man anything about that."

It soon simmered down to a discussion about Fuller's arrest of some girl, sweetheart of an Army lieutenant, and the threat that had been posed by that. Shepherd said Buck Billingsley (later to be operator of The Ritz) got all the girl's money and an \$85 wrist watch for making her bond.

Shepherd was worried about a threat from the girl's boy friend that he was going to tell the Alabama Attorney General about the case.

The bitter rivalry between the Phenix City gamblers and the Columbus, Georgia, group, led by Fayette Leebern and his son, Donald, and the subsequent killing of the elder Leebern, became the subject of much discussion on the Shepherd telephone.

As related elsewhere in this book, Leebern was killed at a political victory celebration at the Southern Manor Club, in Phenix, and Hoyt Shepherd was one of the three charged with the murder. The other two were Jimmy Matthews and Grady Shepherd.

After all had been cleared, Hoyt Shepherd laid the actual killing on Grady. He also told James Carpenter of an offer

he said the elder Leebern had once made to Grady to kill Godwin Davis.

It was right after a store which Leebern owned in Phenix City was burned to the ground, and Davis was suspected as the arsonist.

Shepherd said his brother told him about Leebern's offer of \$3,000 to kill Davis. He related the conversation, as it had been repeated to him:

Grady: "Do you mean kill him?"

Leebern: "Yeah, dammit, I want that bastard killed, and you'll never regret it."

Grady: "Hell, man, I ain't in the killing business."

Shepherd said Grady had assured Leebern that he "wouldn't let Davis run over him" and that Grady added he would kill Davis or any other person who tried to run over him.

Carpenter: "There wasn't nothing that Leebern wouldn't hire done."

A new officer of the Alabama Beverage Control Board arrived in Phenix, and the racket fraternity set about quickly to see whether he would cause trouble.

Fuller called Shepherd and told him about the new man, and Shepherd told the Deputy to tell the Sheriff that the number of special investigators from the state were "going to be cut to zero."

Fuller said that was a good idea, as there were too many people running around.

The new man, according to Fuller, was assigned by Folsom as a special investigator to work with ABC Agent Ben Scroggins. He said the man never had taken a civil service examination but that the Governor had wanted to put him on, so he "just stuck him on something."

Shepherd: "Special investigator in his office?"

Fuller: "That's what he said. But he's just an ABC agent."

Shepherd: "What's his name?"

Fuller: "Brantley. From down in Pike County, Troy. Old country boy. Seems like a pretty good fellow. First time he

ever policed at all. We let him stay down in jail to see what kind of fellow he is."

Shepherd: "He's liable to put a fire under the whole works before election time."

Fuller: "I don't think so. I talked to Walter Hendricks yesterday [ABC license inspector], and he told me that Ralph Suttles, his supervisor, told all of them license men, like Walter, that he had orders not to bother no music or nothing in beer parlors, unless cities had exercised an option right to machines, nothing. [At that time a state law forbade music authorize it by special election.] It was strictly up to the local authorities. Didn't want none of these state men picking up or bothering or molesting any of these places at all. So they must be fixing to loosen up all over the state—more than they are."

Shepherd: "I talked to the people over there last night and they said if any son-of-a-bitch comes around saying they want this or that, tell them to go to hell."

Fuller: "They're just coming from too many angles, Hoyt."

Shepherd: "Bucking them ain't been doing nothing but popping."

Fuller: "That's what I say. Too many riding."

Shepherd: "We haven't been hit so hard yet, but we're not getting any benefit out of it. I think we finally got it straightened out."

Fuller: "Good."

Shepherd: "I don't think we're going to have much of that either. I'm going to tell Big Jim to send me an order. I'm going to tell them the goddam man to see. Ain't nothing to them people."

Fuller: "Aw, hell, they can't do nothing. They ain't going to do nothing without he tells them to."

Shepherd: "They do, they'll lose their jobs. I look for the whole state to open up, myself."

So it was that the recordings made by the phantom wire tapper revealed many things that had before been matters only of whispered gossip—indicating that the state administra-

tion, from the lowest ABC agent right up to the Governor's mansion was deeply indebted to, if not controlled, by the underworld of Phenix City.

These revelations were made little more than two months after the voters of Alabama had voted Big Jim Folsom into the Governor's office for a second term, which began January 18, 1955.

Will Phenix City again rise and flourish under the influence of a friendly administration? Folsom has promised that he will keep it clean. The people of Alabama, and especially Phenix City, are anxiously awaiting developments of the next four years.

* * *

The mystery of the phantom wire tapper may never be solved. But this much is known. The man did not make the recordings for blackmail purposes. If he had been interested in a profitable transaction, Shepherd would have provided a ready market. When the first stories on the recordings hit the street, Shepherd paid a call to Acting Attorney General Bernard F. Sykes. He offered a "deal" if Sykes would stop the playing of the records.

Shepherd said he would bring to Sykes the signed resignations of Sheriff Mathews, Mayor Reese, and Solicitor Ferrell. On that occasion, Shepherd evidenced much distress about the recordings, and even talked about trying to obtain a federal court injunction to halt publication of the contents.

Many attempts were made by newspaper men and the RBA to contact the wire tapper, but all failed. Reporters did learn the identity of the man Shepherd had accused of making the recordings. He was Pat Patterson (no relation to the slain Attorney General nominee) who operated a drive-in restaurant in Columbus. Patterson was interviewed and denied making the recordings. He did confirm the information that Shepherd had accused him of tapping his telephone.

Patterson, a close friend of Donald Leebern and Fayette Leebern, the man Shepherd was tried for killing, told the reporters that he had tapped his own telephone in order to

learn what his wife was doing. He said the electrician who attached a tap on his line, later told Shepherd that he, Patterson, was the one who had made the recordings of Shepherd's telephone conversation.

Shepherd, Patterson said, called him up and asked him to come to Phenix City to discuss the matter. He told the gambler, he said, that he wasn't fool enough to come over the river "after what you did to Leebern."

Shepherd also suspected Patterson of being behind one of the attempts on his life, though Patterson said he was registered in a hotel in Miami Beach at the time, and told Shepherd of that fact.

Today, Patterson, a sick man, lies in a back room of his drive-in with a pistol beside his medicine bottles. He is not scared—just cautious.

The recordings were sent to at least two persons, other than Bentley. Shepherd received four, which referred to the attempt to kill him.

At about the same time, a small packet of the recordings saved the job of Police Chief John Newberry, of Columbus. In the recordings received by the RBA, Police Commissioner Jesse Binns, of Columbus, was on record as telling Shepherd that, if he didn't like the chief, "he's dead."

Binns apparently was promising to fire the police chief, should Shepherd give the word.

On the day before Newberry was scheduled to get the axe, he received in the mail, recordings of talks between Binns and Shepherd. Newberry was never fired.

Binns was at the meeting the next day, but did not propose the firing of Newberry.

The man whose job was saved by the timely arrival of just the right recordings, was one of the closest friends of the man whom Shepherd accused of making those recordings—Pat Patterson.

XIV

MURDER IN THE ROGUES MORGUE

A DEAD MAN TELLS NO TALES. Neither does he serve as a witness in the court trial of his murderer. If the man who shot him has an observer who swears the killer fired in self-defense, what can a poor corpse do but turn over in his grave? Unless, of course, he *was* shot in self-defense.

What a turning over in graves must be going on in Phenix City!

A reason always exists for a killing—jealousy, rage, ambition, frustration, greed, self-defense, temptation. There was no lack of motives for Phenix City's wholesale slaughter. Most of the victims were not pure as the driven snow. Phenix City butchering was done in gangland style and the man who pulled the trigger as often as not might be a cop "in line of duty."

In this chapter are outlined three of the murders which still are talked of in Phenix City. A number of odd circumstances surrounds each. At this writing, no one has been punished for two of the homicides. In the third, justice was delayed four years because nobody could be found to fit the description of the missing man's corpus delicti.

When retribution did triumph, it managed to win only two-fifths of a victory. The three men who hired the killers got away scot free. The two actual triggermen have been given life time social security in a federal pen in Georgia.

The first execution goes like this:

Once upon a time there was a soldier named John Frank Stringfellow. John Frank was no angel and he was placed in the federal detention barracks for violation of the military code. There the government could and did keep an eye on him, until, as it happened, they concluded that John Frank would be able to help them in a liquor conspiracy case. They

told him what he was to do and turned him loose. The year was 1944.

Pretty soon they got to missing John Frank. He had got around somewhat but where he was now nobody knew. At least, those who knew weren't saying.

It was known that John Frank had made contact with two men named Dave Walden and Johnny McVeigh, and that the three had been scouting around in Georgia. This was in performance of John Frank's duty but while Walden and McVeigh still were roaming the countryside, John Frank had disappeared completely.

On a clear day in 1948, bones were found near the surface of the ground ten miles from St. Augustine, Florida. Now this was not normal. Especially since the bones appeared to be human. The sheriff was told. He recognized foul play and went to work.

The trail led into Georgia and soon it began to look as though John Frank finally had turned up at this late date. Walden and McVeigh were apprehended for the murder. Shown the error of his ways, McVeigh confessed to his part in the crime and said that he and Walden had killed John Frank Stringfellow on September 21, 1944. His confession was introduced at his trial. A condensed version of it follows:

"We, Dave Walden and I, went to the Manhattan Bar in Phenix City, and there we had a conversation with Joe Allred, "Head" Revel, and Godwin Davis, and there they agreed to give us \$1,000 to do away with John Frank Stringfellow, who was a witness against the three for a violation of the alcoholic tax law.

"Dave and I got John Frank Stringfellow down at Brunswick, Georgia. Around seven o'clock in the evening Dave and I started to give ourselves a shot of morphine and John asked me for one too. I fixed his shot. I melted this by putting a match under the hypo gun. He shot himself in the main line and in a few seconds he said a cuss word and fell over on the bed. He lay there on the bed about one and a half hours,

then we put him in the car and drove slowly to Rebecca, and by the time we got to Rebecca, he was dead.

"We then drove to about ten miles out of St. Augustine to what is known as Ponte Vedra. We then took John Stringfellow's body out of the car, then we shot him with a .22 pistol. We then went to St. Augustine and called up Mr. 'Head' Revel. He told us to come to his home.

"We went and told him what we had. 'Head' Revel got a shovel and we put it in our car. We then went to the body. Revel looked the body over and then returned in about an hour with some lime. We stayed there and dug the hole while he was going for the lime. I saw Revel hand Dave the money—\$1,000 in one hundred dollar bills."

That, according to Brother McVeigh, was how John Frank came to no good end. McVeigh later repudiated the confession but he was up against some stiff evidence by that time.

John D. Dorminy, foreman of the Grand Jury which indicted him, testified that McVeigh had described to the jury how John Frank was killed. McVeigh, said Dorminy, told of putting a glass over John's Frank's mouth to see if he made moisture on the inside. John Frank didn't, being dead to this world.

Sheriff E. L. Howell of Muscogee County in Columbus, Georgia, said McVeigh admitted to him that John Frank had been given two grains of morphine and four tablets of H.M.C., which stands for hyoscine morphine cactus, a tablet containing narcotic. The sheriff said McVeigh claimed Revel had paid them the \$1,000 and that \$500 of it came from Davis and \$250 each from Revel and Allred.

In stepped the federal men to tell how John Frank was supposed to have been helping them. C. W. Peets, of the United States Treasury Department, said John Frank was to have been a witness against Davis, Revel, and Allred in a liquor case. McVeigh, said Peets, had told him that was why John Frank was killed. The liquor case against Davis, Revel, and Allred fell to pieces without Stringfellow's testimony.

What actually killed John Frank either was the shot he

gave himself in Georgia or the shot with the .22 Walden gave him in Florida. A fine point arose, with Georgia authorities insisting death had occurred in their state. Georgians feared that should Walden and McVeigh be tried in certain parts of Florida, they would be freed because their employer, "Head" Revel, was known thereabouts as "Mr. Head Revel."

Walden had done the actual trigger work after McVeigh chickened out. McVeigh had the pistol and was aiming it at John Frank's head when he broke down.

"I can't do it," he said. "Johnnie served time for me at Kilby without ratting. He's sort of a friend."

"Gimme th' damned gun," Walden said, and fired the bullet into John Frank's head.

The body didn't even twitch.

McVeigh wasn't as squeamish later when he was in the back seat of the car with Walden's wife. Some sort of to-do took place and Mrs. Walden became unruly just as the car was going past a policeman. McVeigh put his hands over her mouth and then her throat to keep her quiet.

When they were at a safe enough distance from the officer, McVeigh loosened his hold. He took one look at Mrs. Walden, gulped, and punched his buddy on the shoulder.

"Dave," he said. "I've killed your wife."

They buried her in Florida, too, in the Okefenokee Swamp.

At McVeigh's trial for John Frank's death, no witnesses came to his aid, although he denied any knowledge of the killing. It seems the jury did not believe him. McVeigh was sentenced to life imprisonment. He appealed to the Georgia Supreme Court which upheld the jury verdict. Walden pleaded guilty.

Here, then, was a cute little drama. The triggermen were in cold storage but the paymasters were on the outside, doing business as usual. Davis, Revel, and Allred were arrested for complicity, but the cases against them were dismissed when McVeigh and Walden repudiated their confessions and refused to testify against the other three. In Georgia, a state-

ment can be used against the person who makes it, but not against someone else without supporting witnesses.

There have been reports that McVeigh and Walden are ready to spill once more. Maybe so, maybe not. Perhaps they feel that a life in prison is better than a dirk in the dark. For, as they have reason to know, a dead witness gets so little out of life these days.

It is quite possible that Walden and McVeigh are going to do some singing yet. Now safely in prison, they feel they have been double-crossed. Lawyers for Davis, Revel, and Allred visited the two shortly after their terms began. The attorneys urged them not to talk. The lawyers said they would support the families of Walden and McVeigh and would get to work at once on a parole as soon as one was possible. This bargain, if made, appears not to have been kept.

Walden and McVeigh insist that the arrangement was agreed to but has not been fulfilled. Each day that passes should make their bitterness grow worse until the time does come when they figure the part of the nobleman doesn't become them.

On that day, no doubt, they will confess once more.

* * *

Can a man fire a pistol in a closed house without leaving a bullet mark somewhere on the inside? Witnesses, for the state, who were present in the home of Pete and Guy Hargett on the eve of March 3, 1949, claim that's exactly what happened. None of them say that the bullet went out the window. According to their versions, the bullet struck neither a wall or ceiling.

The man who pulled the trigger, if a trigger was pulled, was Guy Wilson Hargett. He was in no position to argue with the official findings. He was dead, you see, shot five times by the Chief Deputy Sheriff, Albert Fuller. Five bullets lined Hargett from belt buckle to forehead. It was Albert Fuller's first killing. From it dated Fuller's new swagger, his importance in Russell County as a quick man with a gun.

The feeling it gave Fuller was one of power, but in his whining, sissified voice, he professed deep remorse.

"It was him or me," he said. "I saw him draw a gun from his belt when we went in the room where he was, and he fired. I hate it. Why, I've never even wounded a man before in line of duty."

The shooting took place, according to what Sheriff H. Ralph Mathews, Jr., told the papers the next day, because Federal Alcohol Tax Agent Grady C. Cook had visited the Hargett home with F. R. Williams and Jasper B. Merk, Georgia alcohol agents. Hargett's house was in Phenix City, Alabama. The agents wanted to determine if Hargett was transporting and selling illegal whisky.

As the agents arrived, a friend of the Hargett brothers, Sam Beck, backed his auto into the road, blocking the officers. Beck and the two Hargetts all pulled guns on the officials who decided that discretion was the better part of valor. They reversed their field and departed.

Agent Cook reported the unfriendly greeting to Sheriff Mathews. Chief Fuller and Deputy Ben Scroggins were sent back to the Hargetts', with the alcohol tax men. This time the lawmen got into the house. To the right, in the hallway, was a door standing slightly ajar.

Thus far in this narrative, there seems to be no conflict in testimony. From here on, there are choices to be made.

The sheriff said that when Fuller spotted the half open door he pushed it open wide. There was Guy Hargett with a gun and quick as a flash he fired at Fuller. The bullet missed. Fuller drew and pumped five bullets into Hargett before the man could fire another shot. After filling Guy Hargett full of hot lead, Fuller slapped a gun from the hand of Pete Hargett, thus heroically preventing further bloodshed.

Deputy Scroggins was not in entire agreement with Sheriff Mathews' version—it neglected to describe Scroggins' own mammoth feats under duress.

"I went in just ahead of Fuller," Scroggins declared. "Guy Hargett was seated and I saw a gun sticking from his belt.

He cursed us and pulled his gun. I grabbed for him and he jumped up. I hit his gun hand, and he fired into the air. Then Fuller shot him."

So there you had Scroggins saying that Hargett's bullet went into the air, where it would have hit the ceiling, and Sheriff Mathews saying the shot whistled past Fuller, in which case it would have had to go into the wall.

At times of quick action, it would be entirely possible—and, in fact, happens all the time—for people on the scene to have different impressions of an event. But under no conditions could a bullet hit a ceiling or wall without leaving some kind of mark, providing it did not fly through an already existing hole.

Arch B. Ferrell, then circuit solicitor, and Coroner Ralph B. Thornell investigated before Hargett's body was removed. They both ruled justifiable homicide. They said Fuller fired in line of duty.

Two women who were in the house at the time of the shooting said Guy Hargett was asleep in his chair when he was shot. His gun was not fired, they added.

In 1954 when Coroner Thornell was asked about the killing, he remembered that when he arrived Hargett had been sprawled in a chair. He remembered one bullet had been fired from Hargett's weapon, but, he admitted, no bullet hole ever was found. He had no explanation for this phenomenon.

Sheriff Mathews said a large number of lottery tickets were found in the house along with several stacks of money. The Hargetts had been in the lottery business for a year and a half before the shooting. Here was the crux of the matter. Their operations were interfering with those of the boys in the syndicate. This interference ceased the night of March 3, 1949.

* * *

Eighteen months later, Billy Kent, a bartender, stood behind the rail at the Manhattan Café, ready, willing, and able to satisfy the wishes of his customers. In came Clarence Franklin Johns, and what he desired was not something served out of

bottles. He wanted all the cash in the joint. With his pistol drawn, he didn't get much opposition from anyone present on that September 2, 1950. With the cash in hand, he turned and fled.

Kent grabbed his own pistol and blasted at the fugitive, hitting Johns twice, but Johns made the getaway car and roared away with a man later identified as Clyde Gordon behind the wheel. Gordon drove to a Negro cemetery where Johns got out, and once again Gordon gunned the motor and careened down the road.

He didn't get far. Seven miles west of Phenix City, Gordon's car swerved across the road, striking another vehicle. Both Gordon and the woman driver of the other auto were killed.

In the cemetery, Chief Deputy Fuller showed up with Deputy Scroggins. They said they had received a tip that Johns was hiding there. In a few moments they flushed him and blazed away. Besides the two non-fatal holes placed in Johns by Kent, he now had thirteen fresh ones, a baker's dozen, one more than two full guns can hold.

Self-defense, said Fuller. Johns had pointed his gun at Scroggins first and then had turned it towards Fuller. It was Fuller or Johns, Fuller said, and from thirty feet away Fuller began firing, advancing as he shot, with each bullet apparently hitting Johns.

With both bandits dead, one might think the cash they had stolen from the Manhattan Café would be returned. Well, it wasn't. No trace of it ever was found. Nobody would say how much cash was involved. The Manhattan Café, incidentally, was owned by Godwin Davis, one of the threesome who had John Frank Stringfellow eliminated. The word spread that anywhere from \$3,000 to \$30,000 had been stolen. Davis encouraged belief in the lower figure, not wanting the income tax crew to think he had too much dough.

The story which made the rounds was that the holdup men hid the money before they were killed. Davis did not believe the money was either lost or hidden. He made it

plain that he was of the opinion that Fuller, and perhaps Scroggins, could tell him where every cent was. Of course they never did.

National Guard investigators, during their stay in Phenix City, had the bodies of Hargett and Johns exhumed. Guardsmen never explained their purpose in doing so.

But to outsiders it became clear that Fuller was a quick man with a pistol when he could hide a gutless heart behind a tin badge which offered him the full protection of the corrupt political machine that valued a cracked blue chip more than a human life.

XV

BACKGROUND FOR FRAUD

NOMINATION OF JAMES E. FOLSOM as Governor of Alabama on May 4, 1954, will forever be shrouded in the murk of suspicion. Did he win that office fraudulently or not?

The very suspicion itself is an unhealthy symptom. While vote fraud is difficult to prove without the confession of a participant, all the signs indicate that Folsom marched to the statehouse in Montgomery over a road hobbled with tampered ballots. This took place probably without Big Jim's full knowledge, and it has no reference to the thousands of honest citizens who cast their ballot for him because, to them, he was the best man in the race.

Illegal ballots are racked up in many ways. A vote can be bought with a quart of whisky or five dollars or less from a sorry citizen who sells his franchise without realizing he also is mortgaging his liberty. Whisky was used for this purpose and in vast quantities in Walker County. Votes can be subverted by preventing the opposition from casting a ballot by force or threat; by refusing to qualify him as a voter; by failing to put his name on the eligible voters' list; by discarding his choice after the polls close; by tampering with the official figures; by adding to the correct total of the favorite and/or subtracting from the tally of the competition. Of all the varied methods by which a vote can be put into a tailspin, a private citizen can alter returns only by force, threat, payment, or with the connivance of an official. In every other circumstance the deceit is practiced by a public official who has not only taken an oath to protect and defend the rights of the individuals but who is paid by the community for his loyalty.

Folsom won his landslide nomination with the alliance of city and county functionaries. The scheme succeeded because the people permitting the stealing in some counties con-

trolled both their county and the investigative machinery which ordinarily would check accusations of falsification.

The day before the election, a Birmingham gambler predicted that Folsom would win without a run-off and boasted that he had \$45,000 riding on that prophecy.

At midnight on May 4, more than one-half of the ballot boxes in the state had announced returns. Folsom, at that point, had forty-four percent of the total vote. But in nineteen small counties, the vote was just beginning to arrive. Geneva had reported only one out of twenty-nine boxes; Marion, two of thirty-nine; DeKalb, one of sixty-two; Walker, fourteen of seventy-one.

These nineteen counties gave Folsom sixty-one percent of their vote. That bulge put him in without a run-off and his final total came to fifty-two percent of the statewide vote cast.

In Folsom's home county of Cullman, one of the nineteen which was slow in reporting, only eleven of forty-four boxes were reported at midnight. At that point the returns from there suddenly ceased. The next morning, a Cullman official telephoned the Associated Press office in Birmingham to inquire how many votes Folsom needed to win without a run-off. The big Cullman County Courthouse box of more than 1,000 votes had not announced results but Folsom by now was out in front of the pack.

Earlier on election night, after Lieutenant Governor James B. Allen conceded the race—he was in third place—he received practically no more votes although 100,000 ballots remained uncounted.

In North Alabama counties the Folsom margin of victory suddenly jumped from about sixty percent to ninety percent of the total ballot in those counties.

The word was out, in the governor's race, that if five votes in each box could be added to the Folsom total, Big Jim would win on May 4. That, of course, did not happen, but it indicates the pattern of fraud.

Private Investigator Fred Bodeker of Birmingham received information that the Phenix City mob diverted \$1,500

it had received for the Folsom campaign and used it instead for Lee Porter in the Attorney General's race. The money wasn't needed for Folsom, the gamblers told Bodeker, because Folsom had enough funds.

This ties in with the overall pattern of fraud as engineered from Phenix City. In the race for Attorney General, MacDonald Gallion was in second place. At his home in Montgomery, Gallion received a telephone call asking if he won the Attorney General's post in the run-off would he cooperate with Folsom. Gallion refused a deal.

Of the last 8,000 votes counted, Gallion had only 57. Porter went into second place and the stage was set for the Phenix City story.

The sudden drop in Gallion's vote alerted Birmingham Attorney Albert Rosenthal to what might happen. For that reason, he was on hand on June 2—after the run-off—to watch the official count of the Jefferson County vote, where 600 votes later were stolen. During that count, Rosenthal detected an error of 3,800 in Porter's favor and had difficulty getting the official counters to correct the error.

Extent of the vote fraud was evidenced by indictments or reports that all was not right at the polls in such counties as Jefferson, Lamar, Russell, Marshall, St. Clair, Escambia, Walker, Talladega, Marengo, Washington, Lowndes and others.

This is reminiscent of the story a Birmingham judge recalled concerning the presidential election of 1928. Staunch Democrats worked the polls in Alabama and many of them realized their candidate, Al Smith, faced a tough fight from the Republican aspirant, Herbert Hoover. Came closing time and one returning officer at a box said to a watcher, "Houstice, how many votes th' Demmycrats gener'llly git here?"

"'Bout a hundred and twenty," Houstice allowed.

"How many's th' GOP git?"

"Ah reckon 'bout three," Houstice said.

Filling out the official papers without bothering to count

the ballots, the returning officer said, "Th' vote in this here box is one-twenty fer Al Smith 'n three fer that other fella."

The word "satchelman" has been used in Phenix City to denote a character who passed out money to persons who vote right. Folsom has his own breed of satchelmen, better labeled as "satchel senators" because they are members of the present State Senate. They are high level messenger boys and efficiency experts who cart campaign funds from one point to another.

At least the money comes under the heading of election contributions. In Folsom's first administration, the donations passed hands when no election was taking place. Ten thousand dollars was sent to Montgomery from Phenix City shortly after the hat had been passed among the racketeers earlier. The messenger, now dead, faced an angry group of gamblers, one asking in effect what had happened in Montgomery to require more dough so soon.

During his 1954 campaign, Folsom ignored all accusations that he had received kick-backs and that thousands of dollars in unreported funds had been deposited in his bank accounts while he was governor in 1947-51. His only comment was to "plead guilty" to all current or future charges. In keeping with his public character of being an overgrown country boy fighting the city slickers, his answer delighted his audiences.

Six months in Phenix City is enough to convince even the most idealistic that many individuals in public life have their price. That is not to say that all public officials are lacking in trust, and those who go wrong make it exceedingly hard on the honest man. The would-be loyal servant may well feel that if he's going to be tabbed with guilt by association he might as well gain something, as the others are doing. But many hold out.

A former Jefferson County official, who did not seek reelection last year, has demonstrated the rugged honesty that isn't found too often. Attorney Lawrence Dumas, Jr., for eight years a member of the State Legislature, returned theater passes sent to him after an election. His sense of in-

tegrity and obligation would not permit him to accept even that small gift.

Money is not the only way a public official can be "got." Many shrewd operators control city and county commissioners by being nice to them; taking them to dinner, throwing parties in their behalf, entertaining them on a week end hunting trip. The official feels obligated to his host. When a matter affecting his companion arises, the official knows how he is expected to rule. For the man in civil life, being nice to his customer is smart business.

But what did the talking in Phenix City was not friendship, or social obligations. It was hard cash.

The accepted *modus operandi* of winning over a new sheriff is a cut and dried proposition. An old buddy calls on the sheriff. They shoot the breeze for a while, then the caller casually reaches into his pocket.

"Sheriff," he says pleasantly, "a couple of th' boys want to have a little crap game down at Dixie Avenue. Joe Doak's place. Nothing big, ya know. Just a friendly li'l game, but it'd embarrass some of th' fellows to get pinched."

He pulls his hand from his pocket and drops \$100 or \$500 or \$5,000 on the desk and riffles it.

"You got any ideas how they can manage that game, Sheriff?"

No bribe has been offered in so many words, but the idea has been planted. The tactic can be repeated until it succeeds or until the sheriff warns the man to get out and stay out.

Once the sheriff reaches for that stack of chips, he's gone. Organized crime is on the march in his county. He can't stop it because he's part of it.

Perhaps he spends a few sleepless nights with his conscience. Then he finds a way of justifying his action to himself. Law enforcement in his county practically ceases at that point, except for arrests of the defenseless, and the spasmodic publicity raids. Whenever you find that the really big fish have no trouble with the law while the little guy is being mistreated, your county is in trouble with the underworld.

From observation and information available, it would appear that a great number of sheriffs' offices and city police departments in Alabama are corrupt to some extent. Corruption, in this sense, includes failure to act against political associates even though no funds have been exchanged.

In the authors' own county of Jefferson (where Birmingham is located), The Bessemer area is under the dictatorial control of a clique composed of men holding law enforcement positions and elective offices. The area, a separate political subdivision of Jefferson County, has long been a hot spot of vice, bootlegging and gambling. Illegal punchboards have been displayed openly in restaurants and honky-tonks; liquor and beer can be purchased on Sunday in a score of places. Law enforcement is lax, often to the point of being nonexistent, and officials in the populous Birmingham district have been powerless, or generally unwilling, to crack down firmly.

In one instance, a Birmingham Police Commissioner, Eugene (Bull) Connor, entered the Bessemer city limits to raid the office of Mickey Flandell. Connor picked up a Bessemer officer en route on the raid but didn't tell him where they were going. Flandell's safe contained a note written by a Bessemer woman, complaining of the gambling, to Sheriff Holt McDowell in Birmingham. In McDowell's handwriting on the letter was a note to Chief Deputy Clyde Morris, in Bessemer, that the letter was forwarded for Morris' information. Morris holds his job by appointment of McDowell. How Flandell got the message never was explained. McDowell, ruggedly honest himself, would have fired the man responsible had he been able to pinpoint him. A Grand Jury probe was made but nothing came of it.

The Flandells had a lease wire coming into their office from Little Rock, the same city which supplied racing news to Phenix City. So did Johnny Connors in Montgomery, but in Mobile the race wire was dropped in from New Orleans.

Reporters probing Bessemer inevitably find citizens too

frightened to talk and witnesses who dread appearing before grand juries.

Tuscaloosa, with outside help, has recently busted up a ring of twenty years' standing which had been operating out of Northport. Its specialties were gambling and bootlegging.

Shelby and St. Clair Counties permitted J. O. (Little Man) Powell to run lush gambling houses unmolested until Circuit Solicitor Conrad (Bully) Fowler, another top-notch honest official, sent Powell down the river for a year.

Gaming stamps and slot machines are in Baldwin County unless recently removed. Mobile has had wide open gambling and prostitution. In Crenshaw there was gambling. Walker has had more than its share of bootleggers, as has Etowah County.

Montgomery is not as rambunctious as it once was, but bets on horse racing and ball games can be made if you know the right people. Selma has been a little Phenix City. The lottery has run wild in Dothan.

One of the worst counties in the state for political undercover work is Geneva, on the Florida border. Floridians even have voted in Geneva just as Georgians had been voting in Russell County. The situation in Geneva is worth examining.

Geneva was one of the nineteen counties which was slow in releasing poll returns on May 4. The county is under the thumb of big-nosed, sour-faced E. C. (Bud) Boswell, a political despot. His position is being challenged by a newcomer, Neil Metcalf, thirty-four, a state senator. Because of Metcalf's youth and ex-State Senator Boswell's age, Metcalf should win out sooner or later. Both Boswell and Metcalf are Folsom supporters, Grade A, first class.

Eddie George, former editor of the weekly Geneva County News, recently waged a continuing exposé of Boswell's past, which indicates that no pardon ever was given Boswell following a July 15, 1913, conviction for false pretense. When George asked Boswell if he was ever pardoned, Boswell was quoted in the weekly as saying "Get that from the d— source of your other d— information in your d— newspaper."

Records at the State Archives and History Building fail to show the date civil rights were restored to Boswell, George said. If these rights were not restored, Boswell is not a qualified voter; could not hold public office; could not practice law—all of which he has done since 1913.

When Boswell said the pardon was given to him by the late Governor Henderson, George inquired at the Governor's office for records but none were forthcoming. The Pardon and Parole Board is without files prior to 1939. On September 30, 1954, Boswell wrote George:

"I am a qualified voter of Box 1, Beat 10, Geneva County, Alabama, and entitled to hold any office to which I am elected. The citizens of Geneva County, with whom I have lived and worked, voted and held public offices for the past 50 years, are satisfied of that fact and I will defend my status and rights if and when they are legally attacked."

Boswell claimed that the Geneva County Board of Registrars passed upon and upheld his citizenship and right to vote at a public hearing on the fourth Monday in August, 1914, "and my status and rights have not been questioned since." Boswell also pointed out that George had misquoted him in relation to the pardon from Henderson.

The data which George compiled was turned over to Circuit Judge Walter B. Jones, president of the Alabama State Bar Association, on September 23, 1954. Judge Jones said they would be given to a bar committee for study and for any action the committee might decide would be advisable. It is understood that the committee probably will take no action since Boswell's reported conviction occurred before he was admitted to the bar.

Boswell, since 1923, has been chairman of the Geneva County Democratic Executive Committee, which counts the ballots and performs similar party functions. He was elected to his ninth consecutive term as chairman in 1955. While all the committee members are elected in public vote, Boswell has obtained his chairmanship without running for election

to the committee, which simply votes him in as chairman for term after term.

His control, or influence, extends to the circuit solicitor's office where his son, Edward W. Boswell, is in charge. Boswell's brother-in-law, R. S. Ward, is county probate judge.

Editor George wrote in his paper that "most widespread of charges by the 'man in the street' appears to be that of vote fraud. Many citizens have stopped voting, they said, because 'I know that my vote would be thrown away.'"

Boswell said that it appeared to have been George's purpose to try and destroy him, because Boswell is a strong advocate of white supremacy, while George opposes segregation in any form. He declared that George has been on the borderline of criminal libel and what he has already said warrants civil action for libel and slander.

"But my information is that Mr. George is judgment proof," Boswell said. "Public records should disclose all the facts necessary to disprove the charges he has made in his paper, but if he is unable to locate the proper records, that is no fault of mine, and I do not propose to help him get out of a bad situation which he got into of his own accord."

Getting back to Phenix City, it is recognized that organized vice on such an imposing scale could not flourish without protection from the top. Not only Folsom but former Governor Gordon Persons has played coy with the state of affairs. Examples are found with ease.

In 1950, Philip J. Hamm ran for governor as Folsom's anointed successor. Word reached Russell County from Montgomery that if the county failed to back Hamm, the state would put the screws on Russell for the next seven months of the administration. Russell was one of five counties out of sixty-seven which supported Hamm.

After Hugh Bentley's home was bombed on January 9, 1952, and before the May primary of that year, members of the Russell Betterment Association visited Governor Persons at the capitol. The Governor had been saying privately that Bentley bombed his own residence, although Mrs. Bentley,

her two sons and a nephew were inside at the time. This information had reached the Governor from investigators he had sent to Phenix City. Like all other apologists for Russell County conditions, the Governor called the RBA members fanatics, and exhibited little respect for them. Despite the attitude of the Governor, the RBA asked for his help.

"What could you boys do if you had an honest election?" the Governor inquired.

"Governor," they said, "that's all we want. Just one fair election."

All right, Persons promised, they would have a fair election.

He sent extra highway patrolmen into the county at vote time. It happened that State Representative Pelham J. Merrill was running for the State Supreme Court with Persons' blessing. His opponent was State Senator Lawrence K. (Snag) Andrews, who was tagged as a Folsom candidate, although Andrews later denied the label. The race became one between Persons and Folsom rather than between Merrill and Andrews. Russell County, along with the majority of Alabama, cast its ballots for Persons' choice.

During the election, Bentley and his son, Hughbo, along with RBA leader Hugh Britton, were attacked at the polls and beaten by thugs. Another mobster scuffled with Tom Sellers, of *The Columbus Ledger*, and Phil Kriegler, of Station WGBA, was knocked down while he had one hand in his pocket.

Ray Jenkins, of *The Ledger*, said an officer had given permission for Photographer Ann Robertson to take voting pictures but he withdrew the authority after the fight.

The election was one of the worst Russell County ever had.

Towards the end of 1953, after Folsom let it be known he was going to run again, the pinball population of Russell County increased rapidly. They were going full blast by January of 1954. This coincidence of timing could have been just that—a coincidence, but it seems unlikely.

When a "phantom wire tapper," as described in another

chapter, recorded telephone conversations of Chief Gambler Hoyt Shepherd, he turned up with several relating to the 1947-51 administration of Folsom. In one talk, Shepherd admitted to a friend that the Phenix City crowd had not supported Folsom in the 1946 campaign.

"We're his first love now," Shepherd added.

"That sonuvabitch's getting it everywhere, ain't he?" asked the man on the other end of the telephone.

"I don't know if he is or not," Shepherd replied, "but it's all around him."

On June 18, 1954—the night of the Patterson murder—Russell County Legislator J. W. (Jabe) Brassell went to Governor Persons' office and, without seeing the governor, asked an official if the state would raid the county that night and stop some of the gambling. Hardly had Brassell departed when Russell Sheriff Ralph Mathews, Jr., was advised of the conversation.

There was a grand scheme to this whole production and, when put under the microscope, it is a frightening spectacle. Phenix City was the focal point of viciousness in Alabama. Although located geographically on the eastern side of the state, it was as if it were in the very center, the hub of a giant wheel whose spokes reached out to every precinct and voting box.

What the Phenix City crowd visualized was control of the entire Democratic Party machinery in the State of Alabama which Governor Folsom now has seized.

This they proposed to accomplish by the aid of corrupt officials already working with them and a continuing flow of money. Success would have meant that practically every prominent state office holder would have been both beholden and subservient to the Phenix City mob. The vote, the wishes, the welfare of the private citizen would have ceased to exist. To some degree, the underworld already had settled on working arrangements with various officials before the complete agenda had matured.

We laugh at a little illegal gambling in a remote county and

consider it unimportant, as being too far removed to affect us directly. But when this gambling horde reaches for seizure of the state, as it always and inevitably does, the matter ceases to be laughable.

Tainted funds from Phenix City coursed through all sixty-seven counties in the 1954 election. In some areas, the gang encountered men who rebuffed them. For some reason—fear or a misguided sense of loyalty—these attempts were not always reported. A man can steal a shirt and the wheels of justice start turning, but let someone steal a vote or an election and he walks on hallowed ground.

G. Berry Pittman, tax assessor of Russell County, and an old man, testified on July 16, 1954, that machine control was at its worst that year. He swore that \$72,000 was raised for the machine's 1954 political war chest.

A "timetable for fraud" indicates very clearly that it was no accident when Lee Porter, with a 70,000 vote deficit in the May 4 primary, pulled to within a whisper of beating Albert Patterson in the June 1 run-off for Attorney General. Men and the machine worked for the month of May trying to put Porter in office by fair means or foul. They were determined to beat Patterson at any cost.

To get the plot in focus, it must be noted that three men competed for the office of Attorney General on the Democratic ticket in the first primary. Patterson was thought to be bringing up the rear. Political forecasts pictured the contest as going either to Porter or MacDonald Gallion.

Gallion depended upon the big business and the silk stock-in'g crowd to put him in, while Porter thought the labor unions and the close race he had made against Attorney General Si Garrett, four years earlier, would be the deciding factor in his favor. The machine was having one of its periodic feuds with Patterson but gave only scant attention to his race. Shepherd took \$1,500 channeled to him from a person in Mobile he would not identify, and which had been for use in Folsom's race and gave it to Porter. The \$1,500 Shepherd told the unidentified Mobile donor with Porter standing by, was

not needed in the race for which he had originally contributed it. The Mobilian consented to transferring the funds to Porter.

Gallion was not entirely innocent either, according to both Shepherd and Godwin Davis Sr., surly, tight-wad member of the Phenix City clan, who said Gallion sought the machine's help. Shepherd said he put Gallion off by saying he would have to take it up with the courthouse. Gallion claims he, like many candidates, visited Phenix seeking what few votes he could get, knowing his journey was practically worthless, but sought no machine aid.

Patterson's relation with the mob, as a citizen of Phenix City, was odd, as described in the chapter on his murder. His emergence as the leader in the May 4 primary race for Attorney General startled the criminal element. Gamblers realized on May 5 that Patterson was so far in front they could not beat him in the first race, but they did go to work to whittle down his lead.

This resulted in pushing Gallion out of second place in favor of Porter, so they would be in position to beat Patterson in the June 1 run-off with a candidate over whom they could exercise control.

The Phenix City crowd found it had a somewhat disillusioned candidate. Porter was discouraged, doubtful of raising the money for another campaign, uncertain of his chances in overcoming Patterson's 70,000 vote lead. He seriously considered conceding the election.

Then on May 8, Solicitor Arch Ferrell, Sheriff Mathews and Mayor Elmer Reese visited Porter with more encouraging visions of the future. The threesome told Porter they wanted to go all out with him against Patterson. A day later, Porter met Ferrell and Attorney General Garrett in Montgomery to perfect arrangements for the next three weeks of intensive politicking.

[As this was going on, Sheriff Mathews traveled to the counties of Madison, Dallas, Macon, Baldwin, Escambia, Autauga and several others to make what he later termed his personal political survey of the race. He also spent time

talking with numerous sheriffs, soliciting their votes for Porter.]

If Porter had thought he was his own man, he learned differently. Garrett set himself up as chief strategist. Working as Garrett's right hand man and as chief liaison between Garrett and Phenix City was Solicitor Ferrell. Heading the Phenix City organization were Shepherd and Ferrell.

On May 11, Porter registered at the Redmont Hotel in Birmingham for himself and "Edward Johnson of Eufaula," an alias for Shepherd. Attending a council of war to arrange a bill of particulars were Porter, Shepherd, Ferrell, and Davis. Chairman Shepherd called the meeting to order and a round table discussion was held over the merits of the two candidates and the controversy confronting the man the empire planned to establish as the people's choice: Lee Porter. It was decided to make Phenix City and Phenix City gamblers the issue.

Porter was advised to paint the cut-throats as a vile, corrupt, greedy clique—which they were—who had thrown their fortunes behind Patterson—which they hadn't. Details settled, Chairman Shepherd nodded at Sultan Davis who handed \$10,000 to Porter. The candidate gave \$5,000 to his advertising man to begin the flow of literature, and the battle was joined.

Later Porter gave the advertising man \$2,500 in two payments. Another session at the Redmont was held on May 19 when Porter met with Shepherd, Ferrell, Davis, and Jimmy Matthews, who was Shepherd's business partner. This time \$8,000 changed hands with Lee Porter paying it all for advertising expenses.

Neither Irvine Porter nor the advertising man were told the true identities or business of the Phenix City gamblers.

Phenix City cash continued to arrive. Shepherd and Davis sent another \$4,600 to Porter in Mobile on May 24, and \$4,000 to him in Montgomery on May 26. Flying from Mobile to Birmingham on May 28, Porter had a stop-over

in Montgomery where Garrett and Ferrell met him with \$1,800. Russell County Deputy Sheriff John Pitts arrived on May 29 with a measly \$230 from Garrett and Ferrell, with which Porter was to telegraph solicitors throughout the state, over Garrett's signature, that their help for Porter was appreciated. Total cash contributions from Phenix City came to \$28,630.

A. B. (Buck) Billingsley had donated \$2,000; Robert C. (Shorty) Myrick had fattened the kitty with the same amount; Godwin Davis forked over \$1000 each, for himself and son, Junior. Other lottery operators, whoremasters, and dope pushers kicked in with similar shares.

While all the jack was being put on the line for Porter, Gallion declared on May 14 that he was going to support Patterson. He joined with Patterson and Patterson's staunch friend, Howard Pennington, in stumping the state. Patterson's strength came not from groups but the individual voters. He would walk the country streets and shake hands with everyone he met. Many of these people he appointed his local campaign manager and sometimes had as many as twenty campaign chiefs in one county.

In Montgomery, Garrett summoned all the solicitors of the state to a meeting and said they were to discuss the school segregation problem. The announced subject did receive some discussion, primarily by Garrett who, as usual, dominated the meeting. He took time to trace the ancestry and political fortunes of many of the solicitors. The meeting adjourned for lunch and it was at this gathering that Garrett launched into a three-hour dissertation in behalf of Porter's candidacy.

Lunch consisted of steak, served about 4 p.m.

Garrett, working like a Trojan, violated rules of the state merit system to send two employees of his office around the state in behalf of Porter. The employees were in the peculiar position of knowing that what Garrett asked was wrong but how do you go about telling the boss you won't carry out his orders?

Garrett sent the two to Rockford, Talladega, Anniston, Arab and other cities where they contacted individuals with the request that they take out newspaper ads saying in effect that Big Jim Folsom endorsed Porter for Attorney General. Folsom personally declared his backing of Porter before the campaign ended.

On May 15, the two Russell County members of the lower house in the State Legislature took a step which was to prove of utmost importance in busting open the Phenix City machine. The members, J. W. (Jabe) Brassell and Ben L. Cole, had been defeated for re-election in the May 4 primary. They filed an election contest against their opponents, V. Cecil Curtis, a scrawny-necked, buck-toothed, barrister, and William Belcher, another attorney who soon wished he had never heard of politics.

The machine backed Curtis over Brassell. At first, it threw its weight to Cole rather than Belcher but Cole insisted that the group also string along with Brassell. When Cole wouldn't alter his demands, the machine left him in favor of Belcher. In accepting machine support, Belcher agreed to recommend Ernest Allen, a fairly decent fellow, for a place on the county jury commission.

A hearing on the contest election was set for June 3. In the meantime, campaigning for the Attorney General's race continued hot and heavy until the election, June 1.

Polls scarcely had closed the night of June 1 before early returns relayed to the syndicate the bad news that Porter was trailing Patterson, although the margin was much less than in the first election.

Garrett and Ferrell were frantic. Despite all their efforts, physically and financially, they were about to be defeated. Garrett knew what to do. On June 2, he made forty-two long distance telephone calls, most of the recipients being professional politicians. Among the prominent persons he contacted were State Senator-elect Neil Metcalf of Geneva County; Sheriff Mathews in Phenix City; A. Lamar Reid, chairman of the Jefferson County Executive Committee, in Birming-

ham (called twice); Bruce White, Reid's brother-in-law and law associate.

The following day, Garrett's telephone lines were kept hot. He telephoned Metcalf and eleven other persons. Ferrell took to the telephone himself and contacted, among others, Bruce White and "Edward D. Johnson," the Shepherd alias.

This last call to Shepherd swung the Phenix City dominion into full brute force. The Brassell-Cole election contest had opened that day. Curtis and Belcher were represented by State Senator Andrews and Phenix City Attorney Homer Cornett. Belcher, through Andrews' legal ability, had been almost assured of his seat by nightfall. The Brassell-Curtis affair still was pending.

Having received the news from Ferrell that Porter was trailing by 1,454 votes, Shepherd got hold of Belcher. He told Belcher he had just talked with Ferrell and that if it was necessary to steal ten or fifteen votes in every county, that was going to be done. Shepherd instructed Belcher to go see his attorney, Andrews, and get Andrews to pick up votes in Bullock County where he lived and where he was secretary of the county committee. Belcher at first refused, saying both he and Shepherd would get in trouble and, besides, he added, Andrews wouldn't do it. On sober second thought, Belcher agreed to approach Andrews because he didn't want Shepherd and the machine sore at him.

About 2:30 a.m., he awakened Andrews where he was sleeping at the Ralston Hotel in Columbus, told him he had a matter of utmost concern, and wanted to see him immediately. In a few minutes he joined Andrews and explained what had happened.

The senator turned him down flatly. As long as he was secretary of the county committee, Andrews declared, there would be no vote changing in Bullock.

But Belcher and Andrews were only part of the link Shepherd was forging. He found other men more agreeable. Gambler Stewart McCollister and two companions left at once to see Willie Kirk, a political luminary in Macon Coun-

ty. Kirk directed them to the home of Frank Porter, county health officer, and a brother of Lee. They wanted to know who composed the county committee. Frank said he didn't know, but escorted the men to Sheriff Preston Hornsby, who got the idea they were looking for votes and were willing to pay, but he rejected the deal.

From Macon, McCollister and his pals drove to Bullock, Barbour, Calhoun, Talladega, and Pike Counties. Eleven carloads of Phenix City hoods had scattered to the remaining counties. Each car carried a payload—a total of \$30,000—with which to bribe any official who would change returns for them. The price varied from ten dollars to one hundred dollars a ballot. An estimated 30,000 votes were stolen in one way or another—some prior to that night—for Porter.

On June 4 in Birmingham, Chairman Reid agreed to an alteration of the official figures so Porter's total would be upped by six hundred votes. Arrangements were being made in other counties to alter more votes.

On June 5, Garrett, Ferrell, Senator Metcalf, and Frank Long, then president of the pro-Folsom Alabama League of Young Democrats, figured it would be propitious to pay their respects to Folsom. They persuaded Folsom's driver, John Drinkard of Cullman, to take them to Sealy Springs, near the Florida boundary, where Folsom was vacationing. The Governor-Nominate refused to see any of them, so the story goes, except Drinkard. This reported refusal appears most questionable, since Ferrell was Folsom's campaign manager for Russell County.

All the efforts by the gamblers were futile. Patterson, on June 10, officially was declared the winner by 854 votes out of 382,678 cast.

Patterson charged that "fantastic sums" had been spent to beat him. Porter fired back, branding as a "false and deliberate fabrication" accusations that the Phenix City crew had offered \$30,000 to officials who would alter votes in his behalf.

In the meantime, the Birmingham Grand Jury, on June

10, began its probe of the six-hundred-vote steal in Jefferson County. As the facts unfolded before the Jury, the gangster empire began to feel the hot breath not only of defeat but of retribution catching up with them. Patterson knew of their deeds and had promised to clean up Phenix City when he became Attorney General.

Porter advised the Phenix City wheels that he had been summoned before the Birmingham Grand Jury, and Godwin Davis paid him a call. He told Porter to swear that the Phenix City gamblers had put only \$3,500 into his campaign. It was too late for that. Porter, having seen the light, had revealed the entire operation—as much as he knew—to the jurors.

Like the Russian secret police who sneak around on their duties in the dead of night, Davis returned in a few days to bang on Porter's door with another request. He yanked a piece of paper from his pocket.

"Arch (Ferrell) wants you to write down the answers to all these questions about what you told the grand jury," Davis said.

Porter complied.

Only a smattering of the behind-the-scenes maneuvering had been even hinted at publicly when the contest hearing between Brassell and Curtis resumed at the Russell County Courthouse in Phenix on June 14, following a ten-day recess. Brassell's lawyer was Harold Cook of Birmingham, a good-natured, conscientious attorney who has made a specialty of election laws. From witness after witness Cook drew forth testimony showing how the Phenix City machine strong-armed its way into election victories at home. It bought votes, it distributed falsified sample ballots, it stacked the polls with machine officials.

The first open airing of the stench was unfolding. A witness related that Chief Deputy Sheriff Albert Fuller marked ballots all day long while he wore a gun on his belt. Negroes were herded into the Sheriff's office where Fuller instructed

them how to vote. Voters were driven to the polls in taxis and dismounted without paying any fare.

In one election, a cabbie discharged a bunch of prostitutes at the polls. One of them got halfway to the booth, then sauntered back to the driver.

"Say, honey," she said, "what'd you say my name was?"

Rugged Howard Pennington, the tall, stoop-shouldered carpenter who had ironclad guts and was president of the crime-fighting RBA, took the witness stand at the hearing.

"Arch Ferrell," declared Pennington, "is the director, and he's the brains behind the Russell County machine. He's the one who collects the money. He's the head."

The gamblers' ticket, Pennington said, was made up by Ferrell, "Buck" Billingsley, "Buck" Day, Shepherd, Davis, C. O. (Head) Revel and his brother Hiram J. Revel.

A great one for denials, Ferrell said he hardly knew whether to feel complimented or insulted by Pennington's remarks.

"He is certainly over enthusiastic in his estimate of my amount of brains, and in placing me as head of any political organization other than as chairman of our Russell County Democratic Executive Committee," said Ferrell.

The next day, on June 15, a restaurant operator named E. B. McCann testified that he had been summoned to Ferrell's office during the campaign and told that his share of the donations would be five hundred dollars.

These revelations, coupled with the Birmingham Grand Jury's accumulating interest, was too much for a couple of the boys. Glen Vinson, who had been on Folsom's scandal-ridden Pardon-Parole Board in the latter part of Folsom's first administration, and John Pruitt, of Talledega, went to see Big Jim in Cullman. The two convinced him the situation had never been hotter, even in Death Valley. Further probings, they contended, would lead to embarrassment for many more people, especially those close to the incoming Governor. No doubt the argument got through to Big Jim.

Folsom set up a four-way telephone conversation. On his

end was himself, Fuller Kimbrell, his campaign manager—now the state's director of the Department of Finance—and Rankin Fite, now the Speaker of the Alabama House of Representatives. Albert Patterson was on the other end. Folsom offered to get Lee Porter to drop his plans for a statewide vote contest, assured Patterson that the Attorney General's office would have sufficient funds during Patterson's tenure of office. For his share, Patterson was asked to work with Folsom the next four years and to exert his influence in halting the inquiries of the Grand Jury in Birmingham. Patterson, having pledged in his campaign to cooperate with whoever was elected Governor, agreed to both conditions. A telegram confirming the arrangement was sent to him from Cullman.

Patterson telephoned his friend, Birmingham attorney Albert A. Rosenthal. He asked if the Grand Jury probe could be stopped.

"Hell, no," Rosenthal declared.

"That's all right with me," Patterson said. "I was just asking, as I had promised."

On June 17 maneuvering was at its zenith.

The hearing contest for the legislature between Brassell and Curtis was adjourned. Belcher already had won his seat. Senator Andrews was feeling pretty good about the chances of Curtis, his client, retaining the post. Judge Roy Mayhall of Jasper and Judge Frank Embry of Pell City had informed him, he said, they were so far inclined to rule with Curtis. Hobdy Rains, Gadsden attorney, the third member serving on the committee with Mayhall and Embry to hear the contest, had not expressed himself.

Patterson predicted to a men's club that his chances of being sworn in as attorney general were about one hundred to one.

And Porter asked Folsom for an audience. Porter didn't know whether Garrett was planning for him to contest the election but he did know he himself was discouraged and anxious to get settled. Porter journeyed to Montgomery. He

was invited to Charlie Pinkston's home, where Folsom was enjoying the companionship of his close associates. Pinkston had been Folsom's campaign manager for middle Alabama. Porter told Big Jim he was broke and needed a job. Folsom said if that was all that worried him, to forget it. Drop the plans to contest the election, Folsom said, and he would give Porter a job as his lawyer for North Alabama at a salary of five hundred to six hundred dollars a month, and would also throw legal business his way.

But the next night—June 18, 1954—the roof collapsed.

As Albert Patterson got tiredly into his automobile, a killer's bullets blasted out his life. The white hot glare of publicity was focused on Phenix City and its underworld and the men who collaborated with it.

The swelling expose of conditions helped make Brassell's contest against Curtis more believable and Curtis eventually lost the seat before he ever got to sit in it. Belcher was tossed out and replaced with Cornett, his attorney in his hearing against Cole. Solicitor Ferrell and Sheriff Mathews lost their new four year terms which were to begin in January, 1955.

The Phenix City crowd did not become active only in 1954. One of the syndicate boys said \$25,000 a month was shipped to Montgomery for protection for at least eight years.

With Folsom in office, Alabama faces the distinct possibility of a powerful political dynasty controlling the state for years. This will be the first truly potent political machine Alabamians have had during the twentieth century. Because there has been no statewide political clique previously, Alabama has been unlike many other states. The man who could win the state's top office had to be something special in the way of a politician, or else get all the breaks.

Alabama Democrats have been divided a long time. It has been North against South and the small counties against the large counties. City folks and farmers have differed. More recently there have been the Loyal Democrats, the States Rights Democrats, and the Republican Democrats. Labor and business have gone their separate ways; big business and

little business had different viewpoints on many matters. Any man who could poll a majority of so diversified a group deserved to be Governor.

A political machine will change all that. A machine is not formed to lose an election. Winning office becomes a science of stolen votes, frightened civil service employees, and intimidated small fry who had better vote right or else. If the machine Folsom is building is a real machine, as there is every reason to suspect, Folsomism will haunt Alabama long after Big Jim is dead, just as the ghost of Huey Long still roams through the bayous of Louisiana politics.

Whether Folsom could have beaten State Senator Jimmy Faulkner in an honest run-off is a question that never will be answered. One thing is certain. The men around Folsom were taking no chances.

The Folsom myth of Just Plain Jim, of constantly fighting for the underprivileged, will be spoon fed with vigoro. He is surrounded by demagogues and spellbinders who know the hates and the loves of an audience and how to appeal to both sides; who mouth half truths and paint false pictures. All politicians are familiar with the breed. In the Folsom camp, the number is excessive and the pasty-faced courthouse old pros, who have been nourished all their adult life at the till of the public trough, are ready to gorge in the years of plenty they see ahead.

Alabama has been shoved into a new era. We'll weary of it before it grows tired of us.

XVI

WHERE LAWMEN WENT BLIND

THE SORDID AND SORRY RECORD of the Alabama Alcoholic Beverage Control Board in Phenix City stands out like a car-buncle on the face of law enforcement, and will rise time and time again to haunt honest officers who carry an ABC commission.

Without the cooperation and forbearance of ABC agents assigned to Russell County, life would not have been as easy or as profitable for the operators of the dozens of dives that specialized in cheap liquor and expensive entertainment.

It wasn't until July 23, 1954, that any concrete action was taken against joints which had flouted the state's liquor laws for years. On that date, acting on direct orders from Governor Persons, National Guardsmen struck quickly all over Russell County and lifted every liquor and beer license in sight.

As beer licensees were screened and found worthy, the licenses were returned. As this is written there is not a single liquor license in Russell County. The far-reaching order by the governor followed by one week his historic order establishing martial rule, and disarming all local law enforcement officers.

Agents of the ABC Board were affected with an ailment that was common to nearly all law enforcement agencies which operated in this wide-open territory. They were unable to see things that were obvious to all others—even to the most casual observer.

It took an all-out campaign by newspapers to bring about the liquor drought in Phenix City, which an alert ABC Board should have accomplished years before. Month after month, year after year, the ABC agents made their reports from Phenix City. Each report neglected to recommend

action against places which violated the board's own rules, as well as state laws, every hour in the day.

Vigorous enforcement of the rules would have prevented Phenix City from becoming the honky-tonk mecca of the South, and would have removed the revenue source of scores of riff-raff, vagrants and clip-artists.

The rules of the ABC Board state that any beer or liquor license may be revoked following violations of any state laws on the premises. Gambling, of course, is an activity which is punishable under state law.

Most of the places in Phenix City held Federal Wagering Stamps and ABC licenses simultaneously. Had the officers bothered to pay an occasional pop call on any one of the joints, they would have had to elbow their way through the slot machines and dice tables to get to the cash registers. They would have had to step over the drunks and drugged customers, and resist advances from the prostitutes and B-girls that haunted every bar.

None of this was obvious to ABC agents, who went merrily along, making an occasional "raid" to keep the operators in line, and to make the record look good. Most of the so-called raids turned out to be little more than a visit from an old friend. Operators were often tipped well in advance so that neither party would be embarrassed in the presence of the guests.

The officers apparently never bothered to check gambling stamps against liquor licenses. State law makes the mere possession of a gambling stamp evidence of gambling. It should have been sufficient to lift the license. In several of the bistros, the operators stated publicly that they didn't want soldier trade, because it interfered with regular gambling operations. If this public information bothered any officer, it doesn't show on the record. The records did show, however, that the liquor agents spent much of their time trying to get places back "on limits" that had been restricted by the Army to service personnel. There again, the officers never seemed to take the hint when the Army declared a place off limits

because of gambling or prostitution. They could lose their soldier trade, but they had never a worry about losing their licenses to sell the raw hooch that most of them palmed off at a buck a shot.

A number of places were placed off limits by the Army because of the soldiers that were mugged, doped, beaten and robbed there.

The ABC men saw no violation which they considered would justify them in lifting a license.

Occasionally, when a license would be lifted, it had a suspicious tinge of politics about it. The joint would soon reopen, with a brand new license issued to some member of the inner circle.

To show how alert were the men charged with enforcing liquor regulations in Phenix, consider for a moment the Bamboo Club, operated by W. T. Thurmond, Jr. For five years heavy gambling had gone on nightly at the club. Reporters visited the place on many occasions and observed the games and wrote stories about the Bamboo Club. On more than one occasion, ABC officers were observed in the place, but the license was never lifted. Both this club, and the 241 Club nearby, were placed off limits by the Armed Forces Disciplinary Control Board in the early Summer of 1954, because of gambling there. Blind officers missed it, somehow.

Finally, three days after Patterson was killed, the ABC Board did revoke the license of the Bamboo Club, but not until after Guardsmen hauled gambling paraphernalia from the place. The only other license lifted by the Board between the time of the Patterson murder and the declaration of martial rule on July 23, was the one at Claridy's place. It was one of the first dives from which Guardsmen pulled slot machines, and had long been off-limits to soldiers.

At the Bama Club, on Dillingham Street, famous among the gambling set from New York to Miami, the sky was the limit on the high dice table.

It was at the Bama Club in 1953 that Chief Deputy Sheriff Albert Fuller led a "raid" while two news reporters watched

the dice continue to roll. There was \$20,000 on the table, and the dice room was nearly filled. Fuller, a native of Phenix City and a frequent visitor at the club, reported later that he didn't go into the dice room because he thought it was the women's rest room.

It's ABC license was intact when the Governor's order was issued on July 23.

The licenses were never lifted from Club 431, or Cliff's Fish Camp, though Army authorities had labeled them two of the worse prostitution dives in the area. The 431 Club operated the Circle C Motel, where rooms were often rented a dozen times in a single night.

Gambler E. L. (Red) Cook, now serving a life term for murder, had a long list of arrests behind him and was widely recognized as the underworld "enforcer" in Phenix City.

It was a fact in which he took great pride, and often bragged to friends that he could have a murder done simply by picking up the telephone and making a call. Yet Cook stood in so well with the ABC Board that it granted him a license to operate a wholesale beer distributing firm.

There were seventy federal gambling stamps current when the cleanup started. Almost all of them were issued to locations holding ABC liquor licenses. One week after Patterson's murder, the board sent twenty agents to Phenix City to ride herd on the night spots. Their orders were to see that the 1 A.M. closing hour fixed by law was observed. Those twenty agents could have been used to good advantage a week before the murder, or any time during the previous decade.

While the board got all upset about closing hours after the murder, nobody had bothered to notice for years before that the watering spots closed each night about the time the sun broke through.

The ABC Board has a set of rules which, if observed, would have prevented most of the operators in Phenix from obtaining a liquor or beer permit in the first place. One of the rules provide that a man must be of good character, with no criminal record, in order to get a liquor license. In the face

of this rule, licenses were issued to places operated by C. O. Revel, H. J. Revel, Godwin Davis and Godwin Davis Jr., George Davis Sr., Glenn and Ernest Youngblood, Cook, and a host of others who had equally odoriferous records. These were the men of "good character" who held the licenses to sell liquor.

The Manhattan Café was owned and operated by Godwin Davis and his son, and the license was issued in his son's name—a neat bit of ball hiding in the backfield. But neither father nor son could have qualified under ABC regulations for a license. Both have criminal records, and it was a matter of public record from court testimony that they operated the million dollar National Lottery Company.

Godwin, Sr., has a record dating back to 1925. From 1925 to 1952, he had no less than twenty-one criminal charges against him, including one for murder on which he was never tried. The federal government looked at the Davis record and denied him a permit to handle malt beverages wholesale. All this, apparently, was news to the state enforcement agency.

After the license was granted to the Manhattan, it could have been revoked with ample reason at any time. In addition to the gambling at the café, which could have been observed from the street, the Manhattan spent less than \$300 a month for food, and as much as \$3,000 a month for liquor. The beer wasn't even counted.

The rules of the ABC Board state that a licensee must purchase each month at least twice as much food as liquor. The license holder is required to fill out a form monthly showing the amount of food purchased, and where the purchases were made. The report also has to show the amount of liquor the licensee bought.

On the same report was a statement of the board's rules, solemnly proclaiming that food purchases must double liquor purchases, under penalty of license revocation. Say this for the Davises: They didn't even bother to falsify the records. They knew they had no worries from the ABC Board.

How did board officials in Montgomery react to disclosures in Phenix?

They were annoyed, not at their own agents who had miserably failed to give even a token of law enforcement, but at newspapers for mentioning the facts to the public.

Board Chairman W. K. Thames Jr., [now out of office] and ABC Administrator R. P. McRee, [now in another ABC post] admitted there was much that could have been done, but showed remarkably little concern over the fact that it wasn't. Thames seemed surprised that anyone should inquire into the board's actions, or search for reasons why the law had not been enforced during the three and a half years he had been with the agency.

He showed no surprise, however, when informed that most of the persons holding liquor licenses in Phenix had long criminal records, and no concern over the fact that licensees held federal gambling stamps.

As far as criminal records went, he said, the board was governed by recommendation of municipalities as to whom should be given licenses. The fact—well known even then—that Phenix City's government and law enforcement agencies were controlled lock, stock and barrel by racket forces, did not seem reason enough for the board to deviate from its practice.

One of the board's rules was that a liquor license should be lifted from any place operating a slot machine or punch board. Thames said they had many complaints from Phenix City concerning slot machines.

In every instance, he said, agents were sent to check the places about which citizens had complained. The check by agents and Sheriff Ralph Mathews always turned out the same way: No slot machines or punch boards could be found.

The board had available another source from which it could have obtained valuable information on slot machines and punch boards, if it had wished to do so. Until October 1, 1953, the state issued a black market slot machine and punch board license. The license did not make the gambling devices legal,

but was a method by which the state kept track of their locations and, at the same time, gathered some revenue from them.

During the entire period that Thames was serving on the ABC Board and McRee as administrator, it kept two agents in Russell County full time. They were Ben Scroggins and Walter Hendricks. Scroggins was one of Chief Deputy Fuller's closest friends, having been with the gun-swinging deputy on two occasions when Fuller had killed men. Scroggins was ordered out of the area by General Hanna when the National Guard took over. He has since been charged with severely beating a man whom he was questioning.

Thames declared that the board was assured at the beginning of the administration that no gambling or prostitution would be allowed to operate in places holding a liquor license. The promise, he said, was made by Mayor J. D. Harris, Sheriff Mathews and City Commissioner Roy Green.

The three men came to the board as soon as it took over under the new administration, to find out what its policies were to be. That was in the spring of 1951. Thames said he told them he intended to enforce ABC regulations.

"They assured us they would cooperate with the ABC Board. The promised there would be no gambling, prostitution or 'bug' operations in any place holding a liquor license," Thames said.

He believed them at the time, he said, because he had no alternative but to believe them.

Since the cleanup got underway, Guard investigators have made cases against several operators for violating ABC regulations.

Even though the total rake-in from racket operations amounted to millions of dollars each month, the greedy joint operators did not hesitate to re-bottle partially consumed drinks to add to the profits.

Thames said there was absolutely no truth to reports that gamblers in Phenix City had been given protection by the Persons administration.

"I am certain no one had been given instructions or even intimated to ABC agents assigned to Russell County that they can wink at law violations or must check with any individual there before making cases," Thames said. "At least," he added, "since I have been a member of the board."

He said they had adhered to a firm policy of enforcing the law and letting the chips fall where they may.

"We haven't played any favorites," he declared.

About the wiretap conversations in which Shepherd said he and his friends could expect special treatment because they were "friends of the administration," Thames said he knew nothing.

That conversation did not refer to the Persons administration, but to its predecessor, the administration of James E. Folsom.

Whatever the policies or aims of the board in its relationship with Phenix City's racket high command, the record speaks for itself. The story it tells is one that Alabama's liquor law enforcers would like to forget.

THE FIXERS

A ROTUND, SANDY-HAIRED ex-Deputy Sheriff picked his way dejectedly down the stairway at the Phenix City Hall. His usually friendly face was creased with worry.

"I'm a victim of circumstances," he said.

J. H. (Ashie) Roberts was just another of the fish caught in the cleanup net cast about Russell County after Albert Patterson's murder. If he had been guided along the path of righteousness and had worked for honest people, "Ashie" would have been a good man. But he was, indeed, a victim of circumstances in that he went to bat for the wrong side. "Ashie" would go to the Board of Registrars, where his wife was a member, and simply register individuals with the board so they could vote. The people to whom he granted the franchise as likely as not weren't even present, nor did they know what "Ashie" had done for them.

As any corrupt machine knows, control of the voters' list is a must. So, too, is the guidance of juries. With the voters' list in its command, the machine can defy opposition and win every election. Juries which are answerable to the bosses never will convict guilty members of the machine brought to trial but an honest man who makes trouble for the mob will find himself railroaded out of the way.

The Phenix City gangs were well aware of this. As late as 1954, they offered political support to Attorney William Belcher, a candidate for the State Legislature, in return for his recommendations to the Governor that Ernest Allen be appointed to the Jury Commission.

Russell County has a population of about 43,000 persons. But from 1944 until mid-1954, only 1,966 male citizens were called to serve on juries, and of this number 1151 served an average of five times each. These jurors were, by and large, machine men, but sometimes a doubtful person would accidentally appear on a jury.

When he did, the machine pulled all the stops in an effort to whittle the man down to size. It always succeeded. The "phantom wire tapper" of Chapter Thirteen made a recording in the late 1940s of an incident in which a lone juror threw the entire Russell County political-gambling combine into a conniption fit. With a "tap" on the telephone of Kingpin Hoyt Shepherd, the phantom found out exactly how perturbed the boys became.

The man who upset them was on the eighteen-member Russell County Grand Jury. Shepherd learned that this man was visiting gambling centers, with a notebook and pencil. Then the fun began.

Before the affair ended, Shepherd had involved, among many others, Sheriff Ralph Mathews, Chief Deputy Sheriff Albert Fuller, Jimmy Matthews (Shepherd's partner), and Gamblers Godwin (Sonny) Davis Jr. and Clyde Yarbrough.

The juror went first to the Blue Bonnet Cafe and then to the Manhattan Cafe where a Deputy Sheriff spotted him and passed the word to Shepherd. The kingpin called nightspot operators to tip them and was informed by Clyde Yarbrough that "Chink" Culpepper was tailing the juror. Raymond Griggs later relieved Culpepper.

Aware that he was being followed, the juror went to a friend's home where he changed clothes in order to confuse his pursuers. Later, after a few more night club visits, he entered the office of Solicitor Arch Ferrell, who was in charge of the Grand Jury, to discuss gambling with him. While Ferrell was talking with the man, Sheriff Mathews passed the information to Shepherd, who said if things got hot the Sheriff might have to make a few raids the following day.

Shepherd dispatched Yarbrough and another gambler, France Knighton, to the place where the juror had changed clothes. This man's name was not revealed in the wiretaps.

Then Shepherd frantically began trying to find Jimmy Carpenter, a member of the jury and close friend, so they could head off any uprising among jurors which would em-

barrass and hurt Shepherd financially. Carpenter expressed surprise to learn that a fellow member of the jury was inquiring into gambling.

"We're trying every way in the world to stop him before morning," Shepherd said.

Carpenter assured the gambler that he had enough votes on the jury to bring any action the lone investigator might sponsor. Shepherd was worried and didn't want to take any chances. He advised his cohort to move for adjournment the following day and so prevent any further issues from being voted.

Shepherd telephoned Lum Griggs who informed him that Jim Whitehead had been dispatched to a friend of the inquisitive Grand Juror in hopes the friend could persuade the juror to quit meddling. Still working full time on the issue, Shepherd contacted his brother, Grady, to be on the lookout for the man with the notebook. A woman club operator called to volunteer the dope that the juror had come to her place to get change for a quarter.

Jimmy Matthews kept jumping back and forth on the line to stay in touch with Shepherd.

"He's a one-man police force," Jimmy commented.

Sheriff Mathews came back with a guess. "Maybe," surmised the cynical Sheriff, "he's flashing around for a nibble."

Not satisfied, Shepherd called Carpenter again and had Carpenter run down the list of jurors and tell him whether each man was "for" or "against" them. Carpenter assured the boss everything would be all right. Shepherd, however, was the cautious type and instructed that everyone available be put to work on the case right away.

Before the day was over, Shepherd was assured by Chief Deputy Fuller that the jury would "vote right." Fuller offered the services of Deputy J. D. Harris, City Commissioner Otis Taff and Circuit Court Clerk I. C. Wheelis, while City Clerk Jimmie Putnam volunteered his talents.

Back came Sheriff Mathews to set the master's mind at ease overnight. He said he had a "paper" ready to serve on the

juror if he didn't cease and desist from these activities. This was an arrest order by which the juror was to be charged with the theft of a magneto.

The kingpin was pleased but suggested that Solicitor Ferrell serve the paper rather than the Sheriff. He advised Mathews not to use the paper if the juror agreed to keep quiet.

"Just keep it in your pocket," he told the Sheriff. "If you can't touch him, we can bring it to a vote and see what some other fellows want to do."

"A few of our key men can hold it down," the Sheriff replied. "You take care of your end and I'll take care of mine."

Not content with calling only the people and jurors he knew personally, Shepherd on the following day instructed someone he named only as "Charlie" to "go see that guy you know on the Grand Jury. Tell him this, 'you don't do a damned thing but vote No Bills and make it stick, you understand.'"

A "No Bill" means that the Grand Jury dismisses a case or fails to indict someone on a specific charge. Shepherd was afraid of what the lone juror might bring up and to be on the safe side he wanted the jury to vote against every matter that arose.

Shepherd called a former employer of a member of the jury and told him to hire the man back, on a permanent basis. In hiring him, Shepherd added, be sure and tell him to vote "no" on all issues under jury consideration.

"Go do that now," he directed.

A grand daddy of a scheme was decided upon when Shepherd told Carpenter to tell the annoying investigator that a warrant was being prepared for his arrest.

"I heard somebody was going to try to pin on you that you stole a magneto you had last night," Carpenter was instructed to say. "I'm your friend and I want to help you, so let's adjourn this Grand Jury and get it out of the way."

As soon as the session ended the following day, Carpenter reported by telephone to Shepherd.

All their fears had been groundless. The "crusading" juror

was trying only to make a deal for himself. Carpenter explained to Shepherd that the juror had seen a couple of persons turned loose on shooting charges, and just wanted to make certain that an indictment was brought against a man who had shot a friend of his. He had planned to use the information about the slot machines as a club over the heads of the other jurors to bring about the indictment.

The individual the juror wanted tabbed was indicted speedily.

Thus ended the fears generated by the note-taking juror. Carpenter told Shepherd that on the day of the showdown he had been the first one in the Grand Jury room. Fourteen of the members were definitely lined up against any gambling investigation, Carpenter said, and the others advised him they were "ready to stick with us." He read off the names of the faithful to Shepherd.

After the "Crusading" juror was placated, Carpenter said the final session "was just like a church meeting." Far from there being any need to prevent the lone juror from writing a minority report on gambling, the Grand Jury report "came out even better than I had hoped for," according to Carpenter, and actually praised law enforcement officers.

After profuse thanks from Shepherd for a job well done, Carpenter volunteered future services on Grand Juries, noting: "I know a lot of the angles now."

The foreman of this Grand Jury was appointed to the Russell County Jury Commission by Governor Folsom in 1955.

When two bus drivers became members of a Grand Jury and showed signs of independence, the move against them was swift and conscienceless.

"If that bus driver gets up and tries to start anything," one juror told Shepherd, "I'm going to say to him, 'I heard you were trying to see how much money you could get up here and I'm going to vote to indict you.' I'll scare hell out of him."

Another advised Shepherd that he'd take the entire Grand Jury "downtown and investigate the way the bus lines operate.

When I get him down there talking to his boss, damn' if he won't be ready to adjourn."

There was an occasion when Shepherd was on trial for the murder of a former associate, Fayette Leebern. An outstanding Birmingham lawyer, Roderick Beddow, was brought to Phenix City as a special prosecutor. Seeing Beddow at the counsel table, Shepherd strutted over to greet him, saying that Beddow's fame had preceeded him and it was a pleasure to make his acquaintance.

However, he added cordially, this was one case that Beddow was going to lose. As it developed, Shepherd was correct.

A trick the machine sometime used to influence jurors was to slip them surprise donations of \$100 bills. The money would be secreted under the jurors' plate at lunch.

Grand juries were composed of men who could see no evil, hear no evil, and speak no evil although they were surrounded by evil. From the Grand Jury room on the second floor of the courthouse, they could see the neon lights blinking a block away. Solicitor Ferrell could get the same view from his office.

Grand juries under Ferrell's direction repeatedly failed to find any wrong doing in the fields of dope, gambling, prostitution, official corruption, and even the gang killings. One such jury, after working like Trojans, did find a hole in a screen door at the courthouse. Without hesitation, without a thought to their own safety, with true patriotism, jurors recommended in forceful language that the hole be repaired. It was a forthright and commendable stand against flies.

The gang spent just as much time in controlling votes as it did in pulling the strings on juries.

Russell County has fourteen voting boxes. The combine had leaders for each box to make certain the vote was delivered. Jimmy Matthews was the major domo of Box Number One at the store of County Commissioner Oscar Cole. The Godwin Davises presided over Box Five at the Palace Theater. E. L. (Red) Cook, Ernest Allen, and Deputy Aaron Smith had charge of Box Six at Five Points while Assistant

Chief of Police Willis M. (Buddy) Jowers ruled Box Seven at City Hall. Chief Fuller, with a gun on his hip, ran Box Eleven at the County Jail.

Box Five was one of the largest. The voters' list there had 721 names on it, but 256 of those names had no addresses in the county, twenty-five voted in Russell as well as across the river in Columbus, Georgia, and sixteen were the names of dead people. Other boxes ran in similar proportions, so that an average of one-third of the voters on the eligible index were registered illegally.

National Guard Captain Edward W. Millar, First Lieutenant George J. Stacey, and Lieutenant James G. Hartline were amazed at what they found when probing false voting.

The Guard, in a raid on the Bama Club, stumbled across a cigar box containing fifteen registration certificates and seventy-five poll tax receipts. In Alabama, a "registration certificate" is given to a person who qualifies to vote. To qualify, the individual must meet certain educational standards as decided by the Board of Registrars. He also must possess a certain amount of property.

Although the educational test has been prepared by the State Supreme Court, registrars are absolute despots over the voters' list because an individual cannot get on the list to vote unless the board gives permission.

Even then the eligible voter must pay \$1.50 a year poll tax, unless he is exempted by law. Among those exempt are war veterans, the deaf and the blind, and persons over forty-five years of age.

On the County Board of Registrars before the cleanup were M. W. Holley as chairman, A. B. Bell, and Mrs. Gaynelle Roberts, who was the wife of Deputy "Ashie" Roberts. The Guardsmen questioned the board members and began checking the registration certificates they had found. They were able to locate one resident, a woman, who told them that Gambler Doug Abney had come to see her. He asked her name, age, place of birth, and all the other questions the board

needs to know, and told her she would be registered as a voter without going to the courthouse to do so personally.

A comparison of the woman's handwriting with that on the certificate showed that someone else had signed her name to the certificate. The handwriting of the one who had made out the certificate turned out to be that of "Ashie" Roberts. He even signed the name of the registrant. "Ashie" said that Chief Fuller had given him a list of citizens to register and he did it to relieve the board members who often were overworked.

"Ashie" was arrested on three counts of false registration. [He was let off with a fine of \$250.] The day after "Ashie's" arrest, Deputy Smith got busy. He visited three different homes and took with him the registration certificates made out in the names of the occupants. He said that if the National Guard came to see them the residents were to swear they had filled out the certificates themselves.

Frightened, the three residents reported the contact to the Guard. Each of the three said he had never registered, had never paid poll taxes, had never voted; but the records showed that they were registered, their poll tax had been paid, and that they had voted in elections. Each related that Smith, under the guise of his badge and friendship, had told them he would see that they were made eligible to vote.

It was important to the syndicate to have numerous names on the voters' list. If one box had only 500 names in it, the theft would be too obvious if at election time the box reported 600 ballots had been cast. The more illegal names there were in a box, the greater the margin with which the machine could play.

During one raid on the home of Chief Fuller, the Guard found two large sheets of paper containing about one hundred names showing poll tax had been paid for them for the years 1952-53. Lieutenant Stacey said he believed the names were people for whom Fuller personally paid poll tax.

The ballot box and the jury system are two of America's most important fundamental democratic processes. When they are stolen, the government itself is stolen.

THE DEVIL READS THE BIBLE

NOT LONG BEFORE THE CLEANUP, the Phenix City Junior Chamber of Commerce sent questionnaires to graduating seniors at Central High School. Now that you are graduating, the questionnaire asked, in effect, what do you hope to do?

Eighty per cent of the boys replied that their ambition was to get into the "bug," or lottery, racket.

To the Reverend John B. Trantham this was expected, but nevertheless depressing. As minister of the Girard Baptist Church, he had set his goals on aiding the youth in his community, but he was a realist who recognized the problems with which he had to deal.

"Don't just be good. Be good for something," was Dr. Trantham's credo. He wanted to be good for the children, but he knew their difficulties.

"The most accepted people in town were the racketeers," Dr. Trantham declared. "They drove the biggest cars. They wore the nicest clothes. More people slapped them on the back. That's what the children saw."

Many youngsters were raised in homes where parents played the bug daily. Adolescents, grown into adulthood in Phenix City, accepted that way of life as being neither illegal, immoral, nor undesirable. Grownups did not wish to recognize that their community had a larger share of evil than other cities. They raised the constant defensive cry that gambling and corruption existed everywhere.

A minister in Phenix didn't want for work if he was conscientious, but even when the clergy banded together to wipe out vice, their efforts were of little lasting effect. Seldom could they close down the city for more than three days at a stretch.

It required a layman, Hugh Bentley, to put a backbone into most of the preachers. Some had fought the criminal element so long and fruitlessly that they had wearied of the struggle.

Others were willing to overlook conditions and compromise their goals in order to avoid friction.

Phenix City is in that part of the Bible Belt which runs through Mississippi, Alabama, and Georgia. In 1954, the city proper contained thirty-seven white churches and thirteen churches for Negroes; or, an average of one church for every 450 residents.

The top political-gambling combine had seized control of the churches. Ministers who opposed them from the pulpit were framed and often transferred. Yet, to prove they were good people at heart who believed in religion, the kingpins kicked in with heavy donations. In fact, more contributions could be obtained from the gambling element in two weeks than the remainder of the congregation could or would donate in two years.

It was in 1946 that Bentley took on the machine almost by himself. He was invited to speak before the Inter-City Club, composed of religious and civic groups, including the Phenix City Ministerial Alliance. The meeting was held at the Recreation Center.

Bentley spoke on "Phenix City's Problems and Possible Solutions." Discussing the Lord's Prayer, he pointed out that Phenix City's problems were not so much economic, social, or political as they were moral.

"I have maintained from the beginning," Bentley said, "that all this has been a religious matter. Until the people do something about the moral breakdown that allows gambling, unholy Sabbaths, and prostitution to operate openly, we will never make any progress because it isn't God's will."

At the end of his talk, Bentley was approached by the Reverend Paul Mathieson who asked him to give a similar speech at the Trinity Methodist Church on Laymen's Night. Bentley refused. He said the church was controlled almost completely by Mayor Homer D. Cobb, head of the gangster-politburo for the city. But the Reverend Mathieson was insistent.

"Doctor," Bentley said, "I have a wife and three children.

They'd burn my house down or kill me if I made that talk at your church."

"Are you a Christain, Mr. Bentley?"

"I try to be."

"If you are a Christian and if you refuse to suffer for Christ's sake, you are unworthy."

Bentley could not argue against that. He agreed to the talk but warned that both the minister and himself would pay for their actions. The speech was made as planned and as predicted Mayor Cobb called on the minister.

"Why was that talk allowed in my church?" Cobb asked.

"It's not your church. It's the Lord's church," the minister replied. "The people needed the talk and should be told the truth."

"The people already know the truth," Cobb said. "I don't want any such talks like that made in the future."

Of course there is no direct evidence that this led to the removal of the Reverend Mathieson, but when the next period occurred during which ministers could be reassigned, he was given a pulpit in another city.

Bentley took part in a movement to form the Christian Laymen, composed of pastors and three or four laymen from each church, but it was unsuccessful and short-lived. Still, the fight of religion against the gangs continued spasmodically, usually sparked by Bentley, who seemed to be one of the few to realize that final surrender of the churches would lead to a completely hopeless way of life. He was joined in his crusade by Hugh Britton.

They realized that the churches were handicapped by the system. Many church-goers, if not participating in the rackets, were fence straddlers who just didn't like to squabble. There were hypocrites galore who would attend services on Sunday morning and spend the rest of the day boozing and gambling. Often, after a Bentley "get with it" speech, an average church member would protest against talks of that nature being allowed in the House of God.

Selfishness, fear, and ignorance played a part. The selfish

said the church revenue would be cut if the combine was disturbed. They were afraid to buck the hundreds of fellow members who were part of the gambling fraternity. And there was ignorance on the part of other hundreds who refused to see what was happening to their city and their children.

"I don't go in those places. They don't bother me," was their typical attitude. It meant nothing that a Hoyt Shepherd-Jimmy Matthews pool room operated within one block of a school and three churches. Even many of the ministers, who preached against sin as a generality, never pinpointed it.

One minister approached Bentley a few days before a speech to request that conditions in Phenix City not be mentioned. Bentley, amazed, complied. Later the preacher apologized to him. He said he had been told to deliver those instructions and he did so because he had ulcers and a daughter in college, and he didn't want to lose his job.

When a pastor opposed the syndicate too vigorously, he got the treatment just like lesser men.

One such minister was at home when he received a telephone call from a woman who asked to speak with him in person. He invited her to his home, where his wife was present, but she insisted on seeing him alone at the church. He agreed to meet her there and did so. He hardly had entered the church when the woman snatched off her pants and began yelling "Rape!"

Policemen appeared almost instantly. The entire elapsed time from the woman's entrance until the police arrived was estimated by the minister at three minutes. Murders have remained unsolved for years and gambling continued in sight of the police station without interference but this time the cops were right there—"on the job."

Conditions like that made it difficult for even a minister to speak out truthfully and fearlessly. This infiltration of the churches was one of the most potent weapons the machine held over the heads of its subjects. It was almost as if the congregation could worship as it pleased so long as the way the congregation pleased also pleased the bosses.

The ministers could, on occasion, rise to meet an emergency.

In 1949, a bill to legalize horse-racing was killed in the State Legislature. Shortly thereafter a similar bill to permit horse racing only in Russell County was advertised in the local weekly newspaper. By law, the bill had to be advertised for four weeks before it could be introduced.

Dr. Trantham, president of the Phenix City Ministerial Alliance, noticed the advertisement and literally hit the ceiling. He called a special meeting for the following day and urged each pastor to have his congregation adopt a resolution opposing the measure. More than 75 percent of the churches responded. Dr. Trantham organized civic groups as well.

Two nights before the four week deadline passed, Dr. Trantham telephoned Russell County Representative J. W. (Jabe) Brassell. He told the legislator he understood Brassell was going to introduce the horse race bill. Dr. Trantham said he remembers vividly what happened next.

"You tell me who told you that and I'll sue him for slander," Brassell exploded.

"I don't know," Dr. Trantham replied. "So many people have told me . . ."

"Well, tell me some of 'em."

"It's just comon talk on every street corner."

The minister said they discussed the subject further but Brassell did not deny he planned to introduce the bill so finally Trantham asked him.

"He hedged then," the minister recalled. "I assumed he was the one. I put his back to the wall. We got pretty hot on it."

Brassell invited Dr. Trantham out to his house to "look me in the eye" and repeat his conversation. Dr. Trantham, with church services almost due, accepted instantly, saying there was nothing he would prefer to looking Brassell in the eye and asking why he would sponsor a bill of that nature in view of the already existing state of affairs.

Unable to find Brassell's home, Dr. Trantham telephoned him again.

This time he ran down the list of churches and clubs which

had passed resolutions against the proposed bill. The clergyman asked Brassell if he could honestly say he represented the people of Russell County with that kind of opposition already lined against him.

The bill never was introduced, and Dr. Trantham's conversation with Brassell ended very cordially with the representative inviting the minister to attend the legislature as his guest. He even offered to have the privileges of the floor extended to Dr. Trantham.

Dr. Trantham said he had been told that the higherups were planning to take over Idle Hour Park, one of the few places children could visit, and convert part of it into a race track.

"That bill would have ruined us," Dr. Trantham added. "It would have made Phenix City the gambling center of this part of the United States. We would have been a little Reno."

Trantham now is pastor of the Inglenook Baptist Church in Birmingham.

He said he found it difficult to convince members of his Birmingham congregation that men like Hoyt Shepherd and Jimmy Matthews—personable individuals—were actually undesirable. Matthews could almost be taken for a minister himself, Dr. Trantham said, except that Mathews was too quiet. He credited Shepherd with being a top administrator whose capacities, if channeled along other lines, might have carried him to the Governor's chair on ability alone.

That, too, was what the youth of Phenix City and Russell County saw. It was what made the task of the preacher so important and yet so difficult: to convince the mind—young or old—that evil doesn't always dwell in an ugly exterior.

A change came over the religious atmosphere of Phenix City immediately following the death of Albert Patterson. Ministers rose to the opportunity. For the first time in years some of them preached openly from the pulpit on the badness which walked among them. They urged, they exhorted, they preached.

The Minister's Alliance became more militant, doing the things now it had wanted to do in the past.

On the occasion when the ministers heard that Billy Graham, the evangelist, was planning a visit to Phenix City, they appeared happy at this chance to muster the forces of good in a great gathering. Graham's advance agents hit town and consulted with Major General Walter J. Hanna about the program. Hanna advised against Graham's coming but the advancement men ignored the suggestion and went ahead with their own plans. They even contacted the Governor's office in Montgomery.

Vernon Merritt, the Governor's executive secretary, invited Graham to Phenix City, without consulting Hanna.

When Hanna heard the matter had progressed to such an extent, he made an attempt to reach the Governor and could not. He asked the ministers if they would call a meeting and let him speak to them about the problems which would be created if Graham came to Phenix City. The ministers arranged the conference and for forty-five minutes Hanna discussed the difficulties which would face cleanup authorities if the Graham pilgrimage was permitted.

Phenix City, he said, would be swamped should Billy Graham hold a revival there. People would come from all over the Southeast, not only to hear Billy Graham, but to take his visit as an opportunity to see Phenix City. The police problem would be tremendous. With all the other responsibilities now in the hands of the Alabama National Guard in Phenix City, Hanna said, he did not see how the Guard could undertake this new task. There would be no telling what might happen.

The ministers remained somewhat hostile.

"People over the country no doubt feel that you're partly responsibility for the situation here," Hanna said, laying the facts on the line, "but we know you ministers have been beating your head against a stone wall. That's changed now. You're going to have a field day."

From the rear of the room, came a shout. "A-men!"

With that cry, the ministers switched their position. Now they hung on as Hanna explained further that the people who

needed Billy Graham the most would be in jail or out of town anyway and unable to hear him. When he finished, Hanna said he hoped the ministers had no ill will towards him, and suggested that he take them on a tour of the city so they would know at first hand just what had been taking place.

"I nominate General Hanna as an honorary member of the Ministerial Alliance of Phenix City," one of the preachers cried.

The motion was seconded and passed unanimously.

The tour of the city did take place with Hanna personally acting as guide. This time, unlike his speech at the meeting, he lapsed into his customary use of choice words to better explain the complete picture. After all, "a house of ill repute," does not sound as imposing as "a whorehouse," and Hanna wanted the ministers to get the full treatment, uncensored.

Seventeen ministers participated in the two-hour tour. At its conclusion, they had a better idea of just how large their assignment was as men of God. Religion in Phenix City was given a chance for a re-birth.

XIX

THE RUSSELL COUNTY
BETTERMENT ASSOCIATION

MEN HAVE GROWN from boyhood to middle age, in Phenix City, under the daily influence of the most ruthless and corrupt racket machine this nation has ever known, and yet held themselves aloof from the profits and pleasures that were theirs for the taking.

As kids, many of them thought nothing of spending the nickels and dimes in their pockets on the slot machines or in buying a chance on the daily lottery. Some of them went even further and became frequent customers of the bootleggers or the dice tables.

The miracle of it was that so many of them, when they turned the corner into manhood, became normal citizens, married and established their homes in spite of the pervading atmosphere of vice.

These substantial citizens frequently held meetings and publicly deplored the situation at their doorstep. But they were able to accomplish little, until in 1951, a small group of brave and determined men met in the office of former State Senator Albert L. Patterson, and within two hours the Russell County Betterment Association was born.

This meeting was inspired by the treatment accorded to representatives of the Ministers' Alliance, who appeared before the Russell County Grand Jury on October 21, 1951, to plead for action to restore decency in Phenix City. The clergymen were accused of mixing politics with religion, and told to go read their prayer books.

That was the first big mistake the racket machine made. In the heart of the southern "Bible Belt" the people of the Chattahoochee Valley are deeply religious.

The treatment of the men of God outraged the citizenry, and a mild-mannered sporting-goods dealer, Hugh Bentley,

took the leadership with Patterson in organizing the Russell County Betterment Association.

From the first, it was decided that the membership of the organization would be kept secret, except for a ten-member board of directors. Bentley was elected as the first president of the crime-fighting group, and he had, as his right-hand men, Hugh Britton and Howard Pennington, who attended the second meeting.

Britton was a gutty little war veteran who was to prove a painful thorn in the flesh of the racket bosses. He was named as intelligence officer for the association, and it was his carefully collected information, and first hand knowledge of crime operations, that enabled National Guard investigators to score heavily against the gamblers during the first few weeks of the cleanup.

Pennington, a contract carpenter, was a steady hand on the helm when the going got rough. He was a slender, towering man with a ready wit and soft drawl. Friends said that even the Devil himself couldn't scare Pennington. He was a calm strategist, and good mixer. His talents were valuable in the raising of funds and in affairs political.

Bentley, who operates one of the largest stores in Columbus, although he lives in Phenix City, was a deeply religious man, one who wouldn't back up when the going got rough. He had been a professional boxer in his youth, and at the age of forty-four, could still step a few lively rounds.

There were many stalwarts who served with distinction during the dark days when it was dangerous to be known as a member of the cleanup society. Scores of others worked undercover, or supported the group financially.

The RBA wasn't the first organization that had been formed to fight crime in Phenix City. It had been preceded by such groups as The Christian Laymen's Association; the Good Government League; Phenix City Veteran's League and the Citizens Committee. None of them had even dented the calm, self-assurance of the mobsters.

But the RBA was a different kind of organization—and it

had behind it a different breed of men; men who were used to getting things done and knew what sacrifices were necessary. They were ready to make those sacrifices if it would bring about a decent place in which they could rear their children.

The night of the first meeting, the score of men present were told by Bentley and Patterson in no uncertain terms what they could expect from the mob if they ever began to hurt the rackets. Some of the more timid bowed out, muttering about the safety of their families. Patterson served as legal advisor to the group, and the first action decided upon was a move to impeach Sheriff H. Ralph Mathews Jr., whom they considered an important front man for the gamblers.

There were those who thought the first assault should have been made on Solicitor Arch B. Ferrell, instead of Mathews. Patterson was among those who held that opinion. He believed that from a standpoint of proving a case on impeachment, Ferrell would be the more vulnerable of the two.

But there was no denying that Sheriff Mathews was the most popular political figure in Russell County, and was a darling of the racketeers. The infant RBA felt that if he could be impeached, they would have scored an important victory against the machine forces.

To bring the impeachment, the RBA employed Roberts Brown, Opelika lawyer and Speaker of the State House of Representatives. Patterson worked with Brown in preparing the case, which charged Sheriff Mathews with malfeasance and misfeasance in office. The evidence was heard by the Alabama Supreme Court, but Sheriff Mathews called as defense witnesses nearly all of the state's top law enforcement men, including the state attorney general, Silas Garrett.

While the RBA presented proof of wide-open gambling overlooked by Mathews and his deputies, the defense proved more potent by far. One after another state and federal law enforcement officers paraded to the witness stand to testify to the good reputation of Sheriff Mathews; to the absence of gambling and vice in Russell County, and the vigor with which the sheriff enforced the law.

The Supreme Court heard, and was impressed. One member of the Attorney General's staff said he hoped that, when he died, his friends would speak as highly of him as did the witnesses for Mathews. The vote by the Supreme Court clearing Mathews of the impeachment charges was nine to zero.

Among those who testified for Mathews were L. B. Sullivan, state public safety director; Joe Smelley, chief criminal investigator for the state; Ben Scroggins, State Alcoholic Beverage Control Board agent in Russell County; and even an agent for the FBI who worked that territory.

In finding Mathews not guilty, the Supreme Court evidently could not avoid taking note of the unsavory reputation of Phenix City.

"We would be blind to realities," the court said, "if we did not acknowledge the *unsavory reputation, justified or not, we do not say, which Phenix City has acquired because of alleged gambling operations there through years past.*" (Authors' italics.)

The RBA was only a few months old when, on January 9, 1952, Hugh Bentley was approaching home, about midnight, in time to see a terrific explosion split his house apart. Inside were his wife and two sons and an infant nephew. Bentley stumbled over the prostrate form of his sixteen-year-old son, Hughbo, who had been blown from his bed and into a clump of bushes thirty feet away. Although he was half unconscious, he fortunately suffered no serious injuries. The thirty six sticks of dynamite used to wreck the Bentley home accomplished only that purpose. The explosion didn't frighten Bentley or any of the other RBA members into quitting. By a miracle, Bentley's family suffered no permanent injuries from the dynamite blast. For this Bentley got on his knees and thanked God—then he got up to fight.

The crime-fighting organization had established its reputation for fighting and courage. A few months after Bentley's home was bombed, a group of racketeers led by "Head" Revel and Glenn and Ernest Youngblood, savagely beat Britton, Bentley, Hughbo Bentley and a Columbus newspaper

reporter, Tom Sellers, as they observed an election being stolen by the usual underworld tactics of buying votes or simply stuffing the ballot box.

As seven husky racketeers beat and kicked the poll watchers, a woman protested to a state highway patrolman who was standing by watching with bored interest. The state law officer shrugged. "Lady," he answered her, "they're not going to hurt them. They're just using their fists and feet."

That was the election in which Governor Persons had given the RBA his personal guarantee it would be clean, and free from the usual Phenix City brand of electioneering.

The victims were thwarted in attempts to swear out warrants for the assailants and the officials of the county took little action.

A month after the Bentley bombing, and while state officers and FBI men were investigating the incident, a gasoline-fed fire was set outside Patterson's office. The fire was extinguished before it could reach the important files inside.

Shortly thereafter the mobsters struck again, this time against Attorney Brown, in nearby Lee County. Brown woke up in time to save himself and his wife by climbing out of a window of their home before it was destroyed by fire. Authorities called it arson, but, like the bombing, the election beatings, and the Patterson office fire, it never was solved.

The fire followed Brown's refusal of a \$50,000 offer from the Phenix City gang to drop the case. Joe Allred, of Opelika, approached Brown with the proposition, asking that Brown withdraw the suit, or that he have a "falling out" with the RBA. The "offer," of course was not couched in such blunt terms.

The RBA had its own cloak-and-dagger operations. Undercover members found out much about the racketeers by pretending to be part of the machine, snooping on secret meetings and thus discovering plans and operations. Men were able to go unidentified into the dives and bawdy houses and learn first hand what it was they had to fight. The group also employed a private investigator who obtained much valuable informa-

tion about the lottery, and the amount each establishment pulled down yearly.

Wives of RBA members, and sympathisers, formed an RBA Auxiliary, and its members attended all city and county commission meetings. They persistently kept the heat on officials who were playing footsie with the machine, and publicly called upon them to get out. This group became hated and feared by the machine almost as much as was the RBA itself.

Patterson had once represented some of the racketeers in important cases, and had tried to straddle the fence between the good and bad elements of his home town for the sake of his law practice.

In doing this, he was exercising his right as an attorney and not as a hired agent of the machine. During that time, however, the racketeers looked upon him as one of their own, with certain important reservations.—they could never control him.

But his association caused many people, including some members of the RBA, to question his motives in coming all-out against the machine which had once helped elect him to state office. Patterson was a stubborn man, one not easily swayed when he made up his mind. After he took his stand against the racket forces of Phenix City, Patterson could not be scared, bought or compromised.

He numbered among his closest friends the directors of the RBA. Pennington was particularly close to him, and accompanied him all over the state on his successful bid for nomination as Attorney General.

Just two nights before Patterson's murder, he and Pennington pledged each other that, if one were killed, the other would see that the murderers were brought to justice. Both men knew that they were on the death list drawn up by the underworld and its respectable collaborators.

When Acting Attorney General Bernard F. Sykes set up offices in Phenix City to investigate Patterson's murder, two unpaid members of his staff were Pennington and Britton.

Patterson's martyrdom won the fight which the RBA had waged so bitterly, and at such cost. Today, for the moment,

the RBA has friends or members in most of the elective and appointive offices from which old machine members were either ousted or forced to resign.

Like the vigilantes of the old West, this group of determined men accomplished their dangerous mission against odds that would have made men of lesser stature throw up their hands in despair.

This mission ended, they will always be ready to take up the fight again, should their home town ever again be threatened by a new rule of fear and violence.

XX

U.S. INFANTRY vs. PHENIX CITY

THE 1,300,000 "DOUGHFOOT" soldiers who have passed through the nation's gigantic infantry school at Fort Benning, Georgia, since the beginning of World War II, have written a glorious history of courage, often with their own blood, in the earth's most remote places. Theirs has been a proud tradition to uphold; a tradition that says the United States Infantry is the "Queen of Battle" and knows not the meaning of defeat.

The history of the infantry will not record the continuing battle of Phenix City, nor the ignominy of its defeat on the banks of the Chattahoochee.

Phenix City was in large part a product of Fort Benning, and its greatest nemesis. When Benning was first established in 1918 as a temporary infantry center, composed of tents and thrown-together buildings, Phenix City was a quiet little town in Lee County. Joining Phenix City to the south was the town of Girard, which had a bloody history running back nearly one hundred years. Girard was a part of Russell County.

The few thousand soldiers then stationed at Fort Benning soon learned that Girard was a town where a soldier could find diversion on a Saturday night. He could gamble on Dillingham Street, or find a girl who would go with him to the tree-shaded river banks.

In 1916, Alabama's Attorney General, Logan Martin, had led a clean-up of Girard which resulted in the destruction of 265,000 gallons of moonshine liquor and the cracking of the biggest illegal liquor ring ever to operate in the South.

In that clean-up, National Guardsmen were called to duty in Russell County, though martial law was not declared. The state refused to support the crusade against the bootleggers, and Martin found himself having to raise private funds from

influential friends in Birmingham to finance the expedition. Martin today is one of Alabama's most eminent lawyers.

Martin's clean-up was short-lived, and by the time the recruits began moving into Fort Benning, bootleg liquor was again flowing free. As Fort Benning grew through the 1920's and 1930's, Girard continued to exact its tribute.

The sordid reputation of Girard grew to the point where the citizens of the area decided something must be done. The solution hit upon was to abolish Girard as a town, and achieve a merger with Phenix City. They hoped that the association with Phenix City would cause Girard to look to its own misdeeds—putting reverse English on the old theory about one rotten apple in the barrel.

To effect the change, the Alabama Legislature in the middle 30's approved a land swap between Lee and Russell Counties. Lee traded Phenix City to Russell for a strip of land in the southwest section of Russell County, and Girard-Phenix City set up joint housekeeping under the name of Phenix City.

But Phenix City fell into step with Girard instead of the other way around, and began to acquire a reputation which was to make its name synonymous with vice, crime, and corruption throughout the nation. The rotten apple that was Girard had contaminated the entire orchard.

When World War II loomed darkly on the international horizons, a great influx of America's finest fighting men was underway at Fort Benning. Payrolls at the Army base, and at adjoining Lawson Air Force Base, jumped to nearly \$8,000,000 monthly, and hundreds of civilian employees at the military bases swelled the total payroll.

Fort Benning was getting ready for battle, and Phenix City was ready for Fort Benning.

Almost weekly new night spots sprang up in Phenix and its environs. Where there had been only gambling, lottery and bootlegging in the past, there now appeared the narcotics pusher and dope dens, the B-girl joints and the whorehouses.

The Army found itself with a serious problem on its hands.

Almost daily hundreds of its young charges reported to sick call for treatment of ailments contracted in the cribs and backrooms of Phenix City's vice dives. Venereal disease rates jumped to alarming proportions.

The Army began sending crack teams of investigators and swarms of military police into Phenix City, and many of the worst places were declared off limits. But it was like sweeping back the tide with a whisk broom. The GI's, eager to spend their money for the tainted commodities offered in Phenix City, poured across the river in a khaki colored torrent.

As the personnel at Fort Benning swelled to near the 80,000 mark, the bloated vice lords of the nation's wickedest city expanded facilities to take care of the rush. Authorities at Fort Benning have estimated that about eighty percent of the personnel frequented the Alabama vice capital where they spent sixty percent of their pay.

The word "spent" is used loosely. It covers the losses on crooked gambling devices; muggings, rolling of soldiers and many other methods used to separate the soldier from his hard-earned pay.

Military pay alone at the base has averaged, since 1940, the staggering total of \$53,000,000 yearly, according to records. This was the average in both war and peace years. In addition, civilian employees have pulled down many millions more each year to run the total to near the billion dollar mark in the fourteen years.

Estimates on the gross "take" of the vice and gambling places in Phenix City run from \$50,000,000 to \$100,000,000 yearly during the lush war period.

But the impact of Phenix City on Fort Benning, and vice versa, can't be measured in terms of dollars alone, any more than it could be measured in the thousands of cases of venereal disease.

During those years, a number of soldiers were known to have lost their lives in the "Battle of Phenix" and rarely were their deaths avenged by prosecution. Still others, listed as AWOL and never found, may today be fertilizing with their

bones the water grass that grows from the muddy bottom of the river.

The Army keeps as classified information the number of soldiers who were beaten, maimed, rolled, drugged or robbed in Phenix. It had rather forget about the hundreds of its members who picked up the drug habit there.

Veteran taxi drivers remember, however, the dozens of drugged or beaten soldiers who were hauled, penniless, back across the river after each camp payday. The cabbies should remember. They were paid at least \$2 per head for each soldier they carried to the whorehouses or gambling joints. The haul back to camp was less profitable. The trip was usually "on the cuff," since the soldier often lacked the dollar to pay the fare.

The soldiers themselves didn't always take the abuse handed out in Phenix without resistance. But singly, or in pairs, they were no match for the trained toughs who served as bouncers in the joints.

The strong-arm thugs were well equipped to handle any trouble the soldiers could start. They were armed with an array of the most vicious hand-made weapons ever seen outside of a medieval torture chamber. One of the favorite weapons used to beat soldiers into line or insensibility was a short length of chain, lightly wrapped with adhesive tape, and fitted with a padded hand grip.

When Alabama National Guardsmen shook down the joints following the declaration of martial rule, they gathered dozens of the chains, along with metal knucks, blackjacks, loaded whips, pistols, sawed-off shotguns and large-caliber rifles.

Try as it would, the Army could not cope with the situation across the river. When the places were off limits, soldiers put on civilian mufti and went in. Fort Benning authorities were aware of this but simply could not detail enough manpower to properly police all of the places.

Stiff penalties were meted out to military personnel caught in off limit places, especially in civilian garb. But an MP

hesitates to shake down a civilian and particularly to hold one for investigation, simply on the chance that he might be a soldier bent on a hell-raising spree.

The toughest soldiers in the world were trained at Fort Benning and taken for suckers in the clip joints of Phenix. When they tried to fight back, the joint operators, gamblers and harlots were the first to yell for military police protection.

Shortly after the end of World War II, a soldier was found dead outside the Atomic Club. His mates marched on it, only to be met by a host of club-swinging MP's. In 1951, about two hundred and fifty war-toughened Rangers rendezvoused at Beachie's Swing Club, bent on doing the job which MP's had been unable to do under military regulations—clean the joint. They found that their plans had leaked and the place was filled with officers and military police who dispersed the group.

As far back as 1940, Gen. George C. (Blood and Guts) Patton proposed the perfect solution to Phenix City. He threatened to send tanks to level Dillingham Street and the infested area around the city's main traffic artery adjacent to the Fourteenth Street Bridge. Secretary of War Henry L. Stimson inspected the record a few years later and declared that "Phenix City is the wickedest city in the United States."

In 1952, a United States District Court judge. A. B. Conger, after listening to details of how Korean War veterans had fared at the hands of the clip joint entrepreneurs, declared that there would be a lot less trouble "if a fence could be erected around Phenix City."

On two occasions during World War II, the Army was goaded into declaring the entire town off limits, but the pressure from the politically powerful mobsters was too great for the order to stand.

There were a few occasions when soldiers grouped together to deliver a lacing to some of the toughs from the Fourteenth Street pleasure parlors. These fistic affairs always ended the same way—with MP's coming to the rescue of the misued citizenry.

Once a large group of fed-up soldiers were stopped at the bridge by police and military guards who deterred them from their mission of putting a torch to the town which had been the source of so much grief to them and their buddies before them.

Federal narcotics agents told the authors of this book that during the war year the dope problem in Phenix City got completely out of hand and undercover agents spent months there trying to pull the stinger from the world's most vicious racket. At that time, according to the dope sleuths, this citadel of corruption, was among the "hottest spots" in the nation.

Military authorities talked to numerous soldiers who became dope addicts in Phenix City, and learned that it was almost as easy to acquire a shot of morphine as it was to buy a beer. You simply had to know the right door to knock on and ask to be accommodated.

Guard investigators in July, 1954, found ample evidence of a dope traffic of alarming proportions. In a filthy room in the rear of the 514 Club, on Dillingham Street, they found thirty-two hypodermic needles, along with piles of empty narcotics containers. The place was operated by W. C. Roney and his son, Lawrence.

In April, 1954, Colonel Bieri, Provost Marshal at Fort Benning, ordered a survey of slot machines in operation at a dozen of the gambling places. The survey was completed just two months before the beginning of the big clean-up, and at a time when local law enforcement officers were denying the existence of gambling there.

The report showed thirteen places off limits, though it did not list the reason for the action on those places, while other places frequented by soldiers continued to operate open gambling.

The places off limits at that time were:

Bama Club, 500 Dillingham Street; nine slot machines, nine pinball machines with payoffs; two horse-racing machines; baseball blackboard (lottery type).

Blue Goose, 1000 Brick Yard Road; four slot machines; one dice table; one poker table; one blackjack table.

Manhattan Café, 203 14th Street; twelve slot machines; five horse-racing machines; four pinball machines, with pay-off; one blackjack table; one dice table; one poker table—all in operation.

Hi-Lo Club, 215 14th Street; eight slot machines; four pinball machines; one poker table; one dice table; one blackjack table, with a large amount of money in circulation.

Skyline Club, Highway 431 North; four slot machines; two dice tables; one blackjack table.

Hi-Way Tavern, Highway 431 North; two slot machines; one dice table; one poker table; large amount of money in sight.

Bennie's Café, 519 Dillingham Street; seventeen one-armed bandits; two dice tables; baseball blackboard (lottery type).

Cliff's Fish Camp, Highway 80 North; two morocco games, large amount of money.

Yarbrough's Café, 204 14th Street; four slot machines; four pinball machines; one large poker table with ten players.

Star Light Café, 1719 South Railroad Street; off limits but no gambling equipment listed.

Club Avalon, 1500 Seale Road; five slot machines, one horse race machine; dice table with ten players when checked.

New York Club, 1648 Fountain Road; five slot machines, poker game in back room, dice table with five players when checked.

602 Club, Brick Yard Road; twenty slot machines; six horse-racing machines.

Singers Paradise, 1600 Fountain Road; off limits but no gambling devices listed.

The Army's policy in declaring places off limits for gambling, according to Colonel Bieri, was determined by whether most of the income of the places was derived from gambling. It was considered by the Department of the Army to be detrimental to the welfare of military personnel for soldiers

to frequent establishments where gambling was the principal commodity.

The places listed are those which were off limits as of April 5, 1954. Army authorities explained that the list changed from time to time. A place declared off limits one month might be open for Army personnel the next, should the operator meet the required standards.

There were few places in Phenix City that had not been off base to soldiers. Sometimes more than half of them were. That meant a windfall for those spots still allowed to cater to the GI trade. Most joints were willing to sacrifice a few slot machines, or a dice table, in order to get in under the wire.

By the Army's own count, on April 5, 1954, some of the places open for soldier trade had more gambling than many of those off limits. The swank Bamboo Club, for instance, had four slot machines, one blackjack table with six players, and a dice table with twenty players.

Perhaps in fairness it should be noted that the Bamboo Club, operated by a tough named W. T. Thurmond, Jr., did not cater to the casual soldier trade. The dice games there ran into the big money, and Thurmond didn't want low paid GI's around cluttering up the scenery. A few higher paid officers courted dame chance at Thurmond's crap tables, but he wouldn't let MP's hang around. He once roughly escorted two MP's from his club and told them not to come back. He further informed them that he would eject a provost marshal or a five-star general.

The 514 Club, 514 Dillingham Street, was not off limits, though it had ten slot machines; three horse-racing machines; one pin-ball machine; one dice table and one blackjack table. If more than half the revenue of this place was not derived from gambling, then the extra income could only have been explained by the presence of the hypo needles found in the back room, or the dozens of cases of rubber prophylactics also found there. Certainly no one could seriously contend that

the food business at the 514 would amount to enough for the monthly light bill.

Also open for service personnel in April was the Golden Rule Café, 1500 Third Avenue, with four slot machines; three horse racing machines; a pin ball machine and a large poker table upstairs. At this place the Army investigator was refused entrance. The Golden Rule was operated by France Knighton, poet-laureate of the gambling set.

He dressed in outlandish clothes, his ensemble usually consisting of a loud-colored cap, red-checked shirt and pink trousers. He spent his spare time writing epic poems about the stealing of elections, the Russell Betterment Association, and even the gamblers themselves.

After all liquor licenses were revoked on order of Governor Gordon Persons, July 23, 1954, Knighton was the only operator with nerve enough to approach General "Crack" Hanna and ask for his license back. He assured Hanna that he had operated a clean establishment, free from gambling. Hanna, who had the gambling records of the Golden Rule in his pocket, along with a warrant for Knighton's arrest, listened, then made a counter proposal. He would return the license, he said, if Knighton was willing to swear to an affidavit—subjecting himself to perjury prosecution—that no gambling had existed at his place.

The poet-gambler knew he had lost his hand. He admitted to the gambling operations at his place, picked up his fancy cap and walked to the jail.

Soldiers were welcome—and the Army didn't mind—at Red Top Café, on Highway 541 North, where pot-bellied Sam Johnson kept slot machines, pinball machines, a dice table and blackjack table. Johnson also had an elaborate warning device by which the gambling room could be warned of any impending trouble, though that seemed hardly necessary in Phenix City.

Other places "on limits" to soldiers included the famous Ma Beachie's Swing Club, Club Lasso, the Silver Slipper Café, Haytag Café, Riverside Café and the Coffee Pot. All

these places were noted either as prostitution pickup points, or specialized in B-girls and knockout drops, or both.

Fort Benning authorities tried for fourteen years to keep some order in Phenix City, at least to protect its own personnel against the leeches who drained their financial blood every month.

On the night of Albert Patterson's murder, when a killer's bullet shocked the people of Alabama into a full awareness of the corruption of Phenix City, prostitution was running rampant; the whirl and clang of slot machines could be heard above the Sunday sermons at half a hundred churches; narcotics and "goof balls" could readily be obtained; a payday night never passed that some luckless GI didn't collect his lumps from the knucks or blackjacks wielded by the bouncers who protected the harlots and crooks. Soldiers were still being drugged and rolled. In short, Phenix City was conducting business as usual.

The United States Infantry that never tasted defeat in battle was never able to win a victory in the grim "Battle of Phenix."

XXI

THE HIGH COMMAND

YOU DON'T RUN a \$50,000,000 crime machine with slogans and resolutions. There are always those who would like to muscle in on a good racket. Some of them can't be dissuaded with gentle hints. In some cases, it becomes necessary to drop a body—well weighted—into a deep part of the Chattahoochee. A simple, hard-hitting philosophy: a rule of business in a town where a man had to be tough to keep in business and smart to keep ahead of the competition.

The inner council of the racket high command was composed of no more than a half dozen persons, with each having his chain of command, his lieutenants and his mugs who were always available to carry out orders as they were handed down.

No person familiar with the Phenix City operations could doubt where the final power lay when there was an important decision to be made concerning gambling in any form. The boss who presided at all such meetings was J. Hoyt Shepherd, and his chief advisor was his partner and long-time friend, Jimmy Matthews.

Shepherd stepped into the top spot following the death of Mayor Homer D. Cobb, in the late 1940's. Cobb was a benevolent, strong-man mayor who held undisputed control over all things political in the town he ran and loved. Until Cobb's death, politics ran the rackets. It was only after his strong hand was removed from the helm that the underworld gained the upper hand and ran politics.

Mayor Cobb was not, himself, a racketeer. He was a practical man who faced a tough situation and decided to make the best of it.

As pointed out elsewhere in this book, Phenix City was a municipality almost devoid of any industrial backbone, so could not depend for revenue upon the sources from which

most cities derive the major portion of their operating expenses. Mayor Cobb recognized this fact in the black depression years of the 1930's and looked about for a way to keep the town out of receivership. It was then that a working alliance was made between the city fathers and the hungry gamblers who wanted to secure foothold close to the multi-million-dollar monthly payroll at Fort Benning. In return for permission to operate, the gamblers saw to it that the town received sufficient income to keep out of the bankruptcy courts.

If the arrangement wasn't always a happy one, it at least had the virtue of accomplishing its purpose for both sides. The gamblers had their bastion. The city had its revenue, and the people of Alabama had on their hands a festering sore that was to spread its poison through the entire body politic.

When the bars of law enforcement were let down, Phenix City became a giant magnet, attracting to it all of the itinerant gamblers, pimps, ladies of pleasure, and assorted cutthroats from surrounding states.

The situation was bound to get out of hand, and it did. Only a few weeks before his death, Mayor Cobb confided to friends that the crime monster they had created in Phenix had grown too big for anyone to control, and admitted that he was fearful of the future.

At Cobb's death, Shepherd was ready to step into the top role and supply the steadying hand. His right to the job was recognized even by those who disliked him personally, or were jealous of the success he and Matthews had enjoyed since he came, penniless, into the domain nearly two decades before.

Shepherd was a man of sound reason and good judgment. He was a student of humanity, and seemed to know instinctively just how far the public would let the racketeers go. He was, for a gambler, a cautious man, and his advice was sought after and heeded. His regime was cursed by the greed of some of the second-string mobsters, and the avarice of law

enforcement officers whose appetites grew bigger and bigger with each payoff.

Just as Mayor Cobb had predicted, the monster got out of control and began feeding upon itself while striking out blindly at all those it considered its enemies. The pattern of self-destruction began taking shape in 1952 with the senseless beating of citizens by mobsters, and the bombing and burning of homes and offices of the people who tried to oppose the racket bosses.

Those who know Shepherd and Matthews are sure these things were done without their knowledge or advice. They bore the marks of a thick-headed gangster rather than the smooth planning of a master strategist.

The ambush murder of Albert Patterson was the final, senseless act which brought the crime kingdom crashing about the ears of those who had so carefully built and nurtured it from its inception.

In the modern history of the city's shadowy career, the names of Shepherd, Jimmy Matthews, C. O. (Head) Revel, Godwin Davis Sr., George Davis Sr., Sheriff Ralph Mathews, Chief Deputy Sheriff Albert Fuller, Solicitor Arch B. Ferrell, and Assistant Police Chief Willis M. (Buddy) Jowers, stand out above all others.

Following would be the names of Glenn and Ernest Youngblood, Wilson McVey, E. L. (Red) Cook, Clyde Yarbrough, A. B. (Buck) Billingsley, Cliff Entekin, J. D. Abney, Stewart McCollister, John Benefield, Robert (Shorty) Myrick, E. V. Boone, Frank Gullatt, W. C. and Lawrence Roney, Rudene Smith, H. C. Harden, Jr., France Knighton, C. W. Franklin, A. C. Griggs, B. L. Cole, W. T. Thurmond Jr. H. J. (Pap) Revel, Godwin Davis Jr., Billy Clark, Mayor Elmer E. Reese, R. W. (Heavy) Daugherty, John Hovey, Sam L. Johnson, James Bush, H. C. Edwards, Jimmie Putnam, J. F. Claridy Sr., and Charlie Byrd.

There has been no effort in compiling the above list to rank the cast of characters in order of their importance to the Phenix City scene, nor is it intended as a complete list of

persons who were active in, or profited by, the lawless activities.

Some of the named persons were merely operators of joints, who went along for the ride and paid their fare. That was one cardinal rule—nobody rode on a pass. Everybody was expected to do his bit around election time, either through cash contributions to the political slush fund, or by other and more direct methods of getting out the vote for the right people.

Men like Mayor Reese were only figureheads, used by the machine wherever needed. He always won his elections handily, and, in return, gave orders to his policemen not to raid any gambling joints or pick up slot machines even if they stumbled over them.

There were many others over the years who left their imprint on Phenix City. The day passed for such one-time political powers as Lum Griggs, Jim Harris and Yarbrough. They were succeeded by the more forceful and energetic set composed of Fuller, Ferrell, Head Revel, Shepherd, Matthews, and their lieutenants.

SHEPHERD

JOHN HOYT SHEPHERD was born on the Alabama side of the river on August 22, 1899, but moved as a child to LaGrange, Georgia, where, reports have it, his family were employed as cotton mill workers.

His life has been shrouded in mystery, and even less is known of his family, except that he had one brother, Grady (Snooks) Shepherd, who worked with Hoyt in Phenix City until the late 1940's, then went back to LaGrange to operate a taxi company until he died of cancer in 1949.

Courthouse records at LaGrange shed no light at all on the Shepherd family, and they were not prominent enough to have been remembered by the townsfolk over the years.

Hoyt first made FBI record files in 1924, when he was sentenced from Troup County, Georgia, to serve a year on a manslaughter charge, but it was later dropped. Two years

later, on December 28, 1932, he was arrested in Jersey City as a "disorderly person" but the disposition of the case was not shown.

The most serious violation was leveled against him on September 23, 1946, when he was charged, along with his brother, Grady, and his partner, Matthews, with the murder of Fayette D. Leebern. At Hoyt's trial, brotherly love won out and Grady took the blame. Hoyt was freed by the jury, and Grady then came to trial and won an acquittal on a plea of self-defense. Matthews was never indicted on the charge.

Shepherd has since paid gambling fines in both Columbus and Phenix City.

Hoyt's first wife, an alcoholic, since deceased, left him after having three children, two girls and a boy. All of them are of good reputation, and the son works in the Post Office at Phenix City. One daughter is married and the other is in college at Auburn.

By his second wife, Josephine, Hoyt has one small son, whom he likes to show off as does any proud father.

Josephine, a tall, striking blond, was born in the shantytown section of Columbus, Georgia, and first caught the eye of the master gambler while working as a dice girl. Hoyt sent Josephine to a "charm school" in Atlanta, where she learned how to dress and was taught the art of makeup. She acquired the charm and poise to go with her already superb figure.

Shepherd is reputed to be wealthy, owning much real estate in Alabama and Florida, as well as gilt-edged securities, stocks and bonds.

He owns tourist courts and citrus fruit companies in Florida, as well as a high priced tourist court, called The Pines, just a few miles out of Phenix City, and within the police jurisdiction of Opelika. He is reputed to own an interest in a large automobile dealership in Auburn, Alabama.

There is a rumor, unverified, that Shepherd tried once to gain a foothold in Miami, but the local syndicate took a dim view of such outside competition. According to this widely circulated story, which Shepherd denies, one morning his

chauffeur stepped on the starter of Shepherd's Cadillac and was blown as high as the limit on Shepherd's dice table. Shepherd allegedly took the hint.

He is known to have bankrolled gambling in several states, including Georgia, Florida, Alabama, Maryland, and perhaps Mississippi and Louisiana. He and Matthews backed a Birmingham racketeer, Winston Reynolds, in a big lottery venture in Tallahassee, Fla. Reynolds, who served a five-year prison term in Alabama for conning a widow out of her life savings, was convicted in the Summer of 1954, of evading federal gambling taxes.

Reynolds drew a seven-year federal penitentiary sentence and a fine of \$12,500. Shepherd was called as a government witness in the Reynolds trial, but never was placed on the witness stand.

On October 27, 1954, Shepherd crossed the state line into Georgia for the first time since the night in September, 1948, when Leebern was killed by gunfire in the high dice room of the Southern Manor Club (now the 241 Club) in Phenix City. Shepherd lives in fear of his life. He has reason. Four times since 1948 he narrowly has escaped death at the hands of assassins. Once a bullet from a high powered rifle knocked a brick from a wall above his head. The shot had been fired from a hill on the Georgia side of the river. Shepherd later advised his partner not to build his house on a hill where it could be seen from the Georgia bank, explaining that "they can knock you off from there with a high powered rifle with telescopic sights."

Shepherd broke his long rule against setting foot in Georgia to visit a cancer specialist in Atlanta, for a check on two small sores on his face. Shepherd's father, as well as his brother, died of cancer.

A shrewd man, with little formal education, Shepherd has an inordinate curiosity to know all that is going on around him, particularly anything that might affect him. Usually he depends for his information on numerous operatives and contact men on both sides of the river. Since he was indicted

during the Phenix City crime cleanup in four cases of renting property for gambling purposes, he came to the City Hall, disguised, to call on Acting Military Police Chief Colonel James N. Brown. He was dressed in coveralls and wore a painter's cap. He and Matthews pleaded guilty in two of the four cases against them, and drew fines, plus ninety-day prison sentences. They began serving those sentences on November 29, 1954.

Shepherd is a born "dealer" and doesn't hesitate to make a trade with his enemies if that course appears advisable. He tried several times to make deals with state officers conducting the cleanup. As early as the Fall of 1951, he tried to make a deal with Hugh Bentley, head of the RBA. In a meeting arranged by Albert Patterson, Shepherd met the RBA leader and asked if he wanted a political office. When Bentley assured Shepherd he was not interested, the gambler countered by asking what was his price to halt the war on the gamblers.

Bentley told him he wanted only a clean town and honest elections, and further advised Shepherd that the RBA would finally beat him. Shepherd appeared distressed and said he had been thinking of quitting the rackets. He said he didn't sleep well, and worried a lot.

He did quit, along with his partner. It was shortly thereafter that he and Matthews turned in a warehouse full of slot machines, valued at nearly half a million dollars. He even got most of the other gamblers to cease operations, and it was a few weeks later that Bentley's home was bombed by disgruntled gamblers.

After leaving the active gambling field, Shepherd and Matthews rented several places to gamblers, and continued to draw profits from the illegal activity. Shepherd became even more active in politics—a game he loved second only to gambling. His activities in the field of politics are discussed in detail in another chapter.

Shepherd says he is through this time for good. He has confided to friends that he would be willing to give up all his

ill-gotten gains to win a respected place in the community for the sake of his children.

He likes to refer to himself as a retired farmer, or as a contractor or cattleman. He and Matthews have donated freely to churches and charities, before and since they left the active gambling field. Of one thing you can always be sure with Shepherd: he'll be found playing the percentages in whatever he undertakes.

MATTHEWS

JIMMY MATTHEWS, born March 3, 1911, in South Shields, England, first came to Phenix City about 1931. He was the son of an English girl who married an American. When they came to America, Jimmy was with them, posing as his mother's brother. They have lived in Phenix City for years as brother and sister.

Matthews' enemies have wondered why the government didn't report the gambler. Here, for the first time, the facts are made public. A few months ago U. S. Immigration authorities inquired about his citizenship, or lack of it, and told him to prove he was a citizen, or else.

Matthews went to a strongbox in Atlanta and obtained the papers proving his birth. They showed he became naturalized prior to 1926 under a law providing that when a parent of foreign nationality becomes naturalized, the minor child takes on citizenship status.

As a schoolboy, Jimmy sold papers and shot dice with his schoolmates at recess and after hours. He had as his tutor wily old Clyde Yarbrough, who took the little English lad under his wing early and taught him to handle crooked dice and marked cards. Later, he worked in the laundry at Fort Benning, and gambled on paydays with the GI's who were earning \$21 per month. The laundry job was a sideline for the dexterous Matthews. It gave him a chance to run the soldiers through the cleaners, financially, every thirty days.

At twenty-one, Matthews had amassed a bank account of \$11,000. It was about that time he met the penniless but

ambitious Shepherd over a poker hand, and the S & M Syndicate was born, with Matthews' money as the backing.

Matthews is a smiling, blue-eyed, well-met fellow, who makes friends easily. He has always avoided the rough stuff. He is reputed to be the wealthiest man in Phenix City today, and is considered a wizard at handling money in the investment field. While Shepherd was the strong man of the S & M Syndicate, he often called on Matthews for advice on important matters.

Matthews is a slow man with a buck, and Shepherd once said of his bachelor partner that he would get married as soon as the government allowed husband and wife to split income for tax purposes. He did.

While Shepherd likes to show off in the most expensive Cadillac he can find, Matthews drives a battered car of cheap make. He buys a new car about every five years.

When Matthews learned that a book was to be written about Phenix City, he lent the authors two books, one of them dealing with the relationship between Chicago mobsters and politicians. He is an avid reader, and likes the classics. In a crowd, he would be the last person you would pick as a notorious racket figure.

He loved the feel of money, and spent his Sundays looting the slot machines which the S & M Syndicate operated in the Phenix City Pool Room, and the Ritz Café, before Shepherd and Matthews retired from the field as active gamblers. In the halcyon days, these two locations took in about \$20,000 weekly.

FBI records show that James Ramsey Matthews was arrested for robbery by Columbus, Georgia, police on August 24, 1931. He pleaded guilty. On October 16, 1942, he was apprehended as a "proprietor" to face War Department charges. No disposition of the case was shown.

REVEL

C. O. (HEAD) REVEL was a product of Florida, where he was born one year after the turn of the century.

Of his childhood, almost nothing is known. But he came to public notice in 1917, when he was arrested on a burglary case in Montgomery, Alabama. That charge was dismissed, but he was back on the record again two years later, when he drew a year on the Georgia chain gang for stealing an automobile. In 1921 he was convicted of grand larceny in Alabama and served a year in Kilby Prison.

After that stretch, Revel managed to escape arrest only until 1923, when he drew two more years for grand larceny.

On February 8, 1936, he was arrested in Miami for violating the immigration laws. He was, the government said, a member of a gang engaged in smuggling Chinese aliens from Cuba into hidden ports along the Florida Keys. For this, he drew five years in the federal penitentiary, and a \$1,000 fine.

Before that, on Armistice Day, 1927, he had been arrested in Miami during an investigation of hi-jacking, and given hours to get out of town.

During his long, crime-studded career, Revel has been arrested many times on other charges, including one on which he drew a year in the federal lock-up for conspiracy to violate immigration laws. He paid fines on several whiskey charges and, in 1944, was indicted by the government on a liquor conspiracy which he beat when the government's principal witness, Johnny Frank Stringfellow, turned up missing, to be discovered four years later in a lime pit near Revel's Florida home.

Revel came to Phenix City in the late 30's, and entered business with an old Florida side-kick, Godwin Davis, Sr. Together they operated a lottery and gambling house, and dabbled in various other rackets. Later the partners split up, with Davis giving Revel the boot. Revel retaliated by moving in with a gang of armed thugs and loading all the slot machines on a truck, while Davis stood helplessly by.

Revel then went into business with George T. Davis, Sr., and Davis' son, George Jr., in the Bridge Grocery. It was perhaps the most unique business establishment ever to operate under the prosaic name of grocery store. It never had a can

of beans on the shelves, and the place was jammed so full of slot machines and gambling tables that a milkman would have had to come down the chimney to deliver his product. In conjunction with it was the largest lottery house ever to operate in Phenix City. The Metropolitan Lottery Company did a yearly gross business of well over \$1,000,000 during the plush days of its existence. Revel and Davis also operated a music company, which farmed out both juke boxes and slot machines.

True to a greedy nature, Revel soon began trying to gain control of the profitable gambling enterprise. He started by getting the elder Davis addicted to narcotics to such an extent that he was in a stupor most of the time. Today, George T. Davis, Sr., is a hopeless addict, taking more than three grains of morphine daily.

Earlier, Revel framed the younger Davis, and accused him of dipping into the till. He sold the old man on the idea, and together they kicked the younger Davis loose from a financial tit worth \$40,000 a year to him.

When Guardsmen entered the Bridge Grocery just thirty-six hours after marital rule was declared, they found the most complete gambling records and gambling equipment any of them had ever seen. They also found a small arsenal of guns, and a set of tools such as are used in safe burglaries.

Revel was not a gambler in the true sense of the word. He was a burglar by inclination and training. General Hanna, on the basis of facts dug up by his National Guard investigators, called Revel a master of safe-cracking, and said he operated the "Head Revel School of Burglary."

A sandy blond with regular features, Revel was as much at home in a tuxedo as in the coveralls of the safe burglar. He looked like a member of the local country club. He was rather stocky, well built, unpretentious and charming. In a friendly poker game or bull session, Revel was the best of companions.

Despite his mild manner, Revel had all the morals and conscience of a cobra. He is, as this is written, at large and

widely sought for questioning in the Patterson murder case, as well as on fifty-five gambling indictments. He left his old haunts just hours before the first indictments were returned against him by the cleanup Grand Jury, taking with him an estimated \$100,000 in cash. So far he has managed to elude a nation-wide manhunt, though investigators have been hot on his trail many times. Once they were only hours behind him in Americus, Georgia, where he signed papers giving his power of attorney to a lawyer there. It is believed he managed to get out of the country. There have been reports of his presence in Guatemala.

He has extensive real estate holdings in Alabama and Florida, but he may be willing to sacrifice them to federal income tax liens to avoid a long prison term.

His wife, Nora, and adopted son disappeared from their home in Phenix several weeks behind Revel, but since have returned to their home. Nora, who once taught a class of Sunshine Girls at the church she and her husband attended, was extremely jealous of her charming husband, and trusted him about as far as she could have towed the Queen Mary with anchor dragging. She caught Mabel Yarbrough with her husband one night and fired three shots at her from close range. One of them took effect under her heart, and Mabel almost cashed in her chips.

Revel is by far the most sinister figure ever to glide across the Phenix City scene, where dangerous men were almost as numerous as prostitutes and B-girls.

GODWIN DAVIS, SR.

JAMES GODWIN DAVIS, SR., 55, is like a rat that didn't get off the sinking ship in time. He guessed, wrongly, that he could ride out the cleanup as he had so many other crises during his career.

Today he faces, with little relish, the prospect of two years behind prison bars. He has posted heavy fines, and his business enterprises are in such condition that he can't afford to leave, if he were permitted.

Davis, like Revel, is believed to have been born in the Miami area, and spent most of his youth there. He calls himself a small operator, but the record belies this claim. He operated the big National Lottery Company with his son, Godwin Jr., and Jared Kenyon. It was second in size only to the Metropolitan Lottery, operated by Revel and George Davis. It ranked in the million dollar class, but his audit reports show that the net profit was less than \$10,000 in 1950. That year he had heavy payoffs checked against his earnings, as well as a robbery which accounted for nearly \$12,000, reportedly pulled by his former partner, Revel.

The loss to yeggmen might have been authentic, but it is highly unlikely that his lottery paid off nearly four-fifths of its gross, as he claimed.

The government didn't believe it, so they slapped him with a heavy tax lien for unreported income that year. Davis is paying the government \$500 a month on a lien of \$60,000, and settled with the State of Alabama for a cash payment of \$4,900. Davis and his son each faced forty-four indictments on lottery cases, and Sonny, as the younger Davis is known, has been convicted on the first of the indictments against him. Both father and son were active in vote steals in the 1954 state elections, and the elder Davis admitted to a Grand Jury in Birmingham that he contributed thousands of dollars to the campaign of Lee Porter, Gadsden attorney, who opposed Albert Patterson in the hard-fought Attorney General's race.

With his son, Davis owns a large trailer park on Victory Drive, in Columbus, Georgia, as well as most of the property near the Fourteenth Street Bridge.

Arrogant and tough when holding the high cards, Davis and his son went whining to the RBA, the state investigators, Guardsmen and everyone else who would listen, when it became apparent they faced prison terms. Godwin even offered to take the rap for his son and plead guilty, if Sonny could be allowed to remain free to operate the far-flung Davis enterprises.

Junior eventually went off for eighteen months. Senior will take a two year spin in the bastille after Junior comes home.

Senior once held a U. S. Government permit to wholesale malt beverages, but, in, 1952, the government got wise and denied the Davises a renewal of that permit. They found that he had lied about his criminal record, and listed it for him. It included:

- 1925 fined \$200, violation of National Prohibition Act.
- 1925 indicted, violation Sect. 5440, nolle-prossed.
- 1930 fined \$100, violation N. P. A. at Miami.
- 1930 fined \$400 violation N. P. A. at Miami.
- 1930-31, four cases of reckless driving.
- 1930 fined \$25 for gambling.
- 1931 indicted for conspiracy to violate N. P. A.
- 1938 arrested "resisting arrest," case dropped.
- 1938 arrested, assault with intent to murder, nolle-prossed.
- 1939 fined \$5 and costs, keeping gambling machines.
- 1941 fined \$10, operating slot machines.
- 1942 arrested for keeping slot machines, case nolle-prossed.
- 1944 indicted for conspiracy to violate U. S. Internal Revenue laws. Verdict not guilty. (That was the case in which Stringfellow was the government witness who came up dead.)
- 1948 indicted on a charge of murder (Stringfellow). Case dropped from docket in 1950 without prosecution.
- 1950 fined \$1,000 in Columbus, Georgia, for possession of slot machines.
- 1950 fined \$500, Russell County, Alabama, for possession of slot machines and operating a lottery.
- 1952 fined \$250, Russell County, for possessing slot machines.

Though it wasn't listed on the government's report, Davis and his son were both indicted on twenty-three charges of possessing slot machines in Georgia in 1954. They entered pleas of guilty to several of the charges, and received fines of \$5,000 and jail sentences of seven and one half years. The sentences were probated.

The government observed that the pattern of lawlessness

on the part of the elder Davis was clear, and that it was being discussed at length, both in fairness to the applicants "and to the possible future filing by them or any of them, for renewal permits."

"While there was not absent a measure of brilliance or agility on the part of Godwin Davis, Sr., during the course of his testimony at the hearing in this matter," the government noted, "there was absent (at least in our view) a measure of frankness and candor. The matter at times seemed considerably confused, although we think not without purpose and deliberation. . . ."

The application for permit for the Tri-State Beverage Company, was in the names of Godwin Davis Sr., James Burke and Mrs. June Davis, daughter-in-law of Godwin Davis. The government felt, and so stated, that the money behind the company belonged entirely to Davis.

Faced with his record, Godwin admitted it in most part, but denied a couple of minor charges, saying it was somebody of the same name. A part of Davis' testimony went like this:

"Let's kind of get back down there—when I filed for my basic permit way back yonder, twelve years ago, I admitted all that. I haven't got no secrets and dark past. . . . I did all those things you asked when I was a boy. But when I quit, I quit. Somewhere in the early 1920's."

The Davises are disliked, even by the gamblers and shadowy underworld element of Phenix City. The respect they command is through fear.

ALBERT FULLER

ALBERT FULLER, 35-year-old gun-swinging deputy, was by all odds the most powerful law enforcement figure who walked hand in hand with the underworld. He was feared for his quick gun and ready trigger finger. He rose to power and prominence only six years before the crime machine toppled, but it is doubtful whether any other person, including the biggest gambling operators, raked in the profits that Fuller did.

He was a shakedown artist of no mean ability, and never missed a chance to turn a dishonest dollar. It was under his directorship that prostitution grew to be the highly-organized and profitable business it was. Not only did he furnish protection in exchange for a third of the income, he was ever on the alert for new talent for the beds of the brothels. It was through him that the arrest racket was operated. Fuller would put the pinch on a likely chick and throw her into the Russell County hoosegow, where she would stay until visited by some of the sex camp operators. They would offer bond on a work-it-out-in-trade basis. Fuller could make such an offer most attractive by the methods he employed in the jail.

On occasions he even used the jail as a call house, sending soldiers at \$20 a head back to spend an hour in the women's department.

Though married, Fuller always kept his personal stable of women. He is known to have kept three women in Columbus, Georgia, at one time, buying them cars, clothes and apartments. He was jealous, and would often go into a rage when he felt one of them had been two-timing him. On such occasions he would break furniture and kick out windows, while threatening to kill anyone who double crossed him.

The three women knew each other, and each knew of the other's relationship with Fuller. They sometimes got together in a little frameup on the deputy. The one who knew she would be with Albert at a particular time would pass this information to the others. If they had any cheating to do, they did it then. He once threatened to kill an Army lieutenant he learned had been dating one of his women. The woman concealed the officer's identity to protect him.

He explained his increasing girth to his brother, Buddy, on one occasion, by saying that his amorous activities sometimes required him to eat three dinners.

His first romantic involvement was with Mabel Yarbrough, young wife of an aging gambler. Mabel spent most of her husband's fortune on Fuller in the days before the deputy

had acquired his roll. Later, she helped Albert spend a good part of his.

Mary Arthur Cheshire, a honey-colored blond, was one of Fuller's favorites for years. To keep her close by him—and also to watch her—he got her a job as a hostess at Chad's Rose Room, one of the nicer Phenix City nighteries. He met her while she was employed in the jewelry department of a large Columbus, Georgia, department store. He showered her with gifts, but sometimes beat her when he thought she had been stepping out behind his back.

As chief deputy sheriff of Russell County, Fuller ruled by brute force. U. S. Treasury agents are checking on reports he shook down as much as \$6,000 weekly from gambling and prostitution operations for protection, and believe he has a large part of that stashed away in a strong box somewhere.

He went with Sheriff Ralph Mathews at a salary of \$200 per month after coming home from Navy service in World War II. His buddies in the Navy looked upon him as a pudgy clown, and he was pushed around by anyone who felt like it. It was not until he got a gun in his hand that he became a bully.

After a couple of killings to his credit, Fuller found that his gun commanded respect he could not get otherwise. He grew to love his guns, and owned thirty of them at the time Guardsmen disarmed him, following declaration of marital rule. Among them was a gold-and-silver inlaid .357 caliber magnum, a heavy, powerful revolver, valued at several hundred dollars.

Fuller had an intense dislike for Godwin Davis Sr., and the feeling was mutual. Davis told the authors of this book he had repeatedly warned Fuller that his greedy shake-down tactics would bring the gambling empire tumbling down upon him. In this bit of advice, Shepherd joined Davis.

The racketeers held regular meetings in the sheriff's office, with Sheriff Mathews and Fuller present. Fuller's behavior was often the main topic of discussion at these meetings. Sheriff Mathews was dominated by his chief deputy, if he wasn't

actually afraid to buck him. Fuller could not be controlled by anyone, and from 1948 until the crash came, Fuller grew bigger and more powerful. Shepherd once warned him that his actions would get him a long prison term, but Fuller shrugged it off.

Shepherd and Matthews lost some of their power after their retirement from active gambling operations, and Fuller moved in more and more. He teamed with Revel, the two of them hoping to get the whole fantastic crime operation under their thumbs. Their closest associate was Solicitor Ferrell, who acted as a kind of legal advisor to them. Ferrell expressed admiration for both Revel and Fuller even after both were under a host of indictments, and were suspects in the Patterson killing.

The ultimate goal of Fuller and Revel was domination not only of Phenix City, but of the entire South. This was not unlikely, inasmuch as Revel was already strong in Florida, and had a close-knit crime machine operating over much of the country.

Fuller was a show-off, and liked to flash \$1,000 bills. He had a standing offer to buy any \$1,000 bills that came into the joints. He has been seen with seventy to eighty of them at one time.

The feud between Godwin Davis and Fuller often threatened to erupt. Fuller told the gambler he had better stop talking about him, because everything Davis said was relayed to him. Friends warned Davis that Fuller would blow his head off, and Davis suggested that unless the deputy drew fast there would be two heads ventilated.

Fuller at one time shared his payoff from prostitution with W. M. (Buddy) Jowers, the assistant chief of police. Later he and Jowers had a falling out and became bitter enemies. Jowers, who towered six feet, four inches and weighed two hundred and thirty pounds, was perhaps the only man in Phenix City who had no dread of Fuller's gun. The assistant police chief was a rough-and-ready character, who had got his seasoning as a bootlegger. A relative of Mayor Elmer E.

Reese, Jowers was given the police job after Reese persuaded a federal court judge to dismiss a five-year probationary sentence against him for liquor conspiracy.

Fuller and Jowers began raiding in each other's territory. The places under Fuller's protection were raided by Jowers, and Fuller, in turn, started knocking off Jowers' friends.

On July 4, 1954, Fuller suffered serious injuries, including two back fractures. He said he fell from a horse, but the story persists that Jowers kicked him into unconsciousness and left him for dead. Jowers took off for other scenes, leaving a string of indictments behind him, but was later apprehended in Texas, and is awaiting trial.

Fuller, as this is written, has been convicted of murdering Patterson, and has appealed a life sentence. He is also under a seven-year prison sentence for taking bribes from Cliff Entrekin, operator of Cliff's Fish Camp, one of the best known whorehouses in the district. Fuller faces nine other bribery cases, plus a dozen other indictments growing out of election frauds.

A native of Russell County, Fuller owns no property locally, though he is thought to have had interests near Orange, Texas. His 1953 state income tax return shows he claims to have paid \$6,000 to the federal government in income taxes, in a year in which his visible income was \$300 a month.

The state tax return didn't show where he received the additional money.

ARCH B. FERRELL

ARCH B. FERRELL, the ambitious Circuit Solicitor of Russell County, played politics to win. With the early training he received around the polling places in Phenix City, Ferrell reportedly tried, in 1954, to salvage the election which Porter had just lost to Patterson.

Ferrell was a bitter enemy of the elder Patterson, who had sworn to clean out the rackets in Phenix City if elected State Attorney General. But it was not for personal reasons alone that Ferrell called Shepherd from Birmingham on the

night of June 3 and reported that Porter was losing and the election had to be saved. Shepherd gave the order for the Phenix City election specialists to move out over the state and gather enough votes to insure Porter's election. This, remember, was after the election was held, but before the official count was made in most of the state's sixty-seven counties.

Ferrell, thirty-seven, is a brilliant lawyer and prosecutor, but can't control his personal drinking habits. Consequently, he is often seen in a drunken condition downtown. He comes from an old, well established Russell County family of lawyers.

Ferrell served in the Army and rose to the rank of captain. After the war he received an appointment from Governor Folsom to the job of solicitor of the newly-created circuit of Russell County. Ironically, it was Patterson who sponsored the legislative act which created a circuit in Russell County, and thus put Patterson's worse enemy in a position of power and influence.

Ferrell had influence and friends throughout the state, as demonstrated by the fact that he was elected and served a year as commander of the American Legion in Alabama. There could be no doubt that Ferrell had his eyes on bigger political plums in the state.

He saw those ambitions crumble under the impact of a Grand Jury indictment in Birmingham, which accused him of helping to engineer a steal of six hundred votes from the official election records. The votes were added to the Porter total and the sheets changed to add up to the new total.

Since then, Ferrell has been indicted by the Russell County Grand Jury for violation of the state's corrupt practices act which act deals with the conduct of political campaigns.

A jury acquitted him in the Birmingham vote steal and he paid a fine to satisfy the charge against him in Russell.

Ferrell also was charged with Patterson's murder but a Birmingham jury freed him on that count, too, on May 4, 1955.

A man of violent temper, Ferrell once broke Jimmie Putnam's jaw, though Putnam, the city clerk, was one of his closest friends. Ferrell was fined \$101.50 on March 9, 1953, for assault and battery in that case.

He was in court again on February 28, 1954, when he paid a \$5 fine and \$10 costs in Macon County for speeding.

The case, No. 1043, was reduced from reckless driving on Ferrell's plea of guilty.

His next brush with the law was on August 8, 1954, when he was arrested in Phenix City and charged with speeding, reckless driving and driving while intoxicated. The first two charges were dismissed, and he was fined \$101.50 on the driving while intoxicated charge, in Case No. 38059.

Ferrell served as legal advisor to the racketeers, and his position in the setup was at or near the top. Ferrell told the authors on one occasion that he "was the boss of the outfit" and that his orders were countermanded by nobody. Ferrell was under the influence of drink at the time of the conversation. He may have been inflating his importance to some extent, but there was no doubt that his word was enough to set off a statewide vote steal, and even Boss Shepherd acted on the advice of Arch.

As indicated elsewhere in this book, there was evidence that Ferrell was casting his lot more and more with the firebrands and "young Turks" of the rackets. He occupied the ideal position to swing the most weight, since it is the solicitor, in most cases, who writes grand jury reports, and who works with and advises that body in all its deliberations. He holds the power of prosecution or nolle-prosse—a powerful weapon in the kind of war he fought.

One of Ferrell's friends paraphrased the words of Shakespeare, in describing Ferrell's downfall. "If ambition," he said, "can lift a man to the heights, it can also plunge him into the depths—and Ferrell was an ambitious man."

There were other important figures in the high command of Phenix City. E. L. (Red) Cook, a ready enforcer of machine edicts, cut a wide path. Clyde Yarbrough's influence

was on the wane before Phenix City entered its most roaring era, but it was he who had served as coach and mentor to many of the men who were to command extensive racket enterprises.

Support and substance was drawn from people who were never a part of the machine. Such was the case with certain attorneys who served the mobsters in legal capacities.

Two brothers, Joe and Roy Smith, enjoyed a lucrative practice from legal business thrown their way by some of the higher echelon gamblers. The Smith brothers, for the sake of their practice, never became completely identified with either side and numbered among their friends, supporters and clients all elements of the jurisdiction in which they practiced.

Roy has long served as city attorney for Phenix City. It was well established that no avowed enemy of the racket machine could hold such office in the days when the machine was in full control, but he still holds his position, with the support from the good people of Phenix City. Roy is considered a practical man who knows when to fight and when to keep quiet.

Joe will serve during 1955-59 as State Senator from the counties of Russell and Lee. He won that position without the support of the machine, but with the full backing of the RBA and the church elements of the city and county. Roy was one of his brother's strongest supporters, and helped him to become one of the first men in years to win public office against the machine.

Since the cleanup, Joe has represented several of the top gamblers and crooks, such as Shepherd and Matthews and Fuller.

While he does not walk the fence with quite the grace and dexterity of his brother, Joe has successfully kept his contracts on both sides, and has wide influence.

Sheriff Mathews poses what is perhaps the toughest problem of classification. He was always at the beck and call of such men as Shepherd, yet he enjoyed the admiration of

many of the anti-vice elements of the county. This is shown by his overwhelming popularity at the polls. All of this could not be accounted for by the activities of the machine.

Mathews may be, as some say, a weak man who would rather drift with the tide than buck a hopeless situation. He cooperated fully with state law enforcement officers in the cleanup.

On the other hand, Mathews may have been a smarter, smoother operator than some of his supporters believed. There has been no evidence uncovered to date that definitely links him with any graft or payoffs, yet he allowed his chief deputy a free rein in his shakedown activities.

Sheriff Mathews has no criminal record. In this he is unlike the former acting police chief, Pal M. Daniel, who served a federal prison sentence for embezzlement before coming on the police force at Phenix City.

Mathews pleaded guilty to charges of wilful neglect of duty. He has retired from public life after resigning his job last September 1, and is now operating his pig farm.

DIGGING UP THE DIRT

ON JUNE 4, 1954, about mid-afternoon, a successful young Birmingham lawyer, who had the world by the tail, rode the elevator to the ground floor from his offices in the Title Guarantee Building. He carried a sheaf of papers under his arm. He walked briskly the three blocks to the Molton Hotel where he rode the elevator to the eighth floor and strode confidently into Room 802.

During his brief journey, the attorney stopped to chat with acquaintances. His usually cheerful face broke into quick smiles at the slightest opportunity. He was a husky, pleasant, personable chap with an open, honest-looking countenance.

Most of the people with whom he talked asked him for an opinion on the Attorney General's race, the run-off between Phenix City Attorney Albert Patterson and Gadsden Attorney Lee (Red) Porter having been held only three days earlier. The results still were in doubt, although Patterson was leading as he had done in the first Democratic primary against Porter and another candidate.

The run-off election was close. Exceedingly close.

Even three days after the election, final determination of the winner was in doubt. Errors could have been made in the unofficial tabulations and the official statewide count was not to take place until the following week.

Patterson had led his nearest opponent in the first primary by 70,000 ballots. Now, in the all important second race, he was struggling to retain a lead of between 1,000 and 2,000 votes.

Despite the thrill of a close and hard fought political race, the individuals who talked with the young Birmingham attorney were excited by other facts. Both candidates had claimed the other was supported sub rosa by the Phenix City gambling

crowd. Up until the final days of the campaign, Governor-Nominate James E. Folsom had not taken an active part in the Attorney General fracas.

He was enjoying his own triumph of a month earlier in which he had trounced six opponents. Then, in the last week of the run-off, Folsom declared his backing of Porter.

Could the popular Folsom swing the election to Porter? Could Porter overcome a deficit of 70,000 votes? Who, in truth, did have the Phenix City brigades behind him?

These were meaty questions and the young attorney was on his way to learn some of the answers.

He was anxious for the day to end because on the following afternoon he and his family were off to Panama City, Florida, for a much anticipated vacation. Since January, as chairman of the Jefferson County Democratic Executive Committee, A. Lamar Reid had wrestled with political problems. Candidates discussed their woes with him. Voters sought his advice. Newspapers wanted information. There were a million and one details to be expected.

Now the election was over. His committee, the day previously, had met and certified that in Jefferson County Patterson polled 23,858 votes to 23,060 for Porter. Reid was not too pleased with the outcome in his county for he not only had endorsed Porter personally but had made television appearances in Porter's behalf. Nevertheless, an election was an election. Reid himself had been beaten a month earlier in a post he had sought, and he knew the taste of defeat.

As Reid entered Room 802 of the Molton, a clean-faced, bespectacled man with an owl expression came hastily up to greet him.

"Hello, Lamar," he said, extending his hand in a quick, nervous gesture. "You got here fast. Are those the papers you have under your arm?"

"Yes, sir." Lamar laid them out on a coffee table. "I have all three official returns here."

The man with the owl look stepped in to study the figures, and his mind began to click. The Attorney General

of the State of Alabama, Si Garrett, was not one to waste time thinking to himself and in a flow of words, drawing documents from his ever-present briefcase, he began to unfold a scheme that widened the eyes of his visitor. The Attorney General was a good lawyer. He won his case with Reid.

He should have been less persuasive. The chain of fraud being forged about the state had added its weakest link. Within seven days the structure began to creak and moan.

As the first damage appeared, a crew of appraisers hastened in to determine the extent. What they discovered amazed them. One of the most thrilling cops and robbers chases in the history of Alabama was ready to unfold. Before the pursuit was finished, the Governor of the state, Gordon Persons, was to hear from irate demands that his office take decisive action in Phenix City.

The "appraisers" were the eighteen members of the Jefferson County Grand Jury, then in session under the foremanship of George Samuel Willcox, Jr., district sales manager for Pure Oil Company.

Directing the Jury's meetings were Circuit Solicitor Emmett Perry, who already had a reputation as a fearless, fighting public official, and his chief assistant, Deputy Solicitor Willard McCall, a rough and ready courtroom lawyer. As the Jury went further into the series of events, another man was called in to lend a hand. He was Private Investigator Fred J. Bodeker, of the Bodeker National Detective Agency in Birmingham, one of the best known and most capable private eyes in the Southeast.

This combination of fighters for justice began from scratch.

On June 8, first intimation that someone had tampered with the official figures in the Jefferson County returns between Patterson and Porter came to light. An anonymous tipster advised Leroy Simms, chief of the Alabama Bureau of the Associated Press, and one of the authors that Porter's official Jefferson County total had been upped from 23,060 to 23,660, an increase of six hundred. The newsmen verified the information and wrote stories for their respective organizations.

Birmingham Attorney Albert A. Rosenthal, one of Patterson's foremost supporters, also was informed of the change and blew a fuse. He asked for and received an almost immediate hearing before the Grand Jury, giving that group its first report of the vote steal.

The Grand Jury was almost ready to adjourn, but here was something new and important. It was extremely difficult for them to believe that anyone actually would change votes on official tabulation sheets or that even one vote could be stolen, much less six hundred. But the accusation was made and it clearly was up to the Jury to learn whether there was justification for the claim. The Grand Jury began summoning witnesses: officials who worked at the boxes on election day; members of the county committee who had made the official count; newsmen who were looking into the matter and many others.

Jurors learned promptly that the alteration had, indeed, taken place. Now their task took on direction. The problem was who had done the changing and when had the falsification occurred.

At this point the jurors considered it wise to consult with Reid, the county chairman. The twenty-eight-year-old lawyer was the head of the county Democratic machinery and should be able to throw much light on the situation. As chairman, he would or should know where the three official tabulations returns had been from June 3 until one finally reached State Committee Chairman Ben F. Ray a week later.

By this time, however, Reid was on his vacation in Panama City. His brother-in-law and business associate, Bruce White, was keeping an eye on things and was advising Reid about what was taking place in Birmingham.

The pressure became too great. Reid couldn't afford any longer to ignore the Jury action and on June 14 he returned home voluntarily and went before the inquisitorial body. Once again the jurors were amazed, this time by the story that Reid related to them.

Reid said that on June 4, Attorney General Garrett and

Solicitor Arch B. Ferrell of Russell County had telephoned him at his office, saying they wished to speak with him. Shortly they appeared and asked to see the official returns from Jefferson County. Reid produced the three copies of the certificates. While Reid was discussing results with Garrett and Ferrell, a call came from a garage, telling him that his car, which he had left to be serviced in preparation for his vacation, was being returned. He was asked to give the driver a lift back to the garage.

Reid excused himself, leaving the documents with his guests. After all, they were public officials, one of them holding the exalted title of Attorney General. When Reid came back in about twenty minutes, the two gentlemen were in his office still but in a short while they thanked him and departed. Reid hastily put his office into "leave alone" shape for two weeks, completed a dab of paper work, departed, leaving the three official papers on top of his desk. He did not think of them again until he had arrived in Panama City at which time he long-distanced White to see that the proper distribution was made of the documents: one to the state chairman, one to the Sheriff's office; one to be kept by Reid. Reid's opinion, expressed to the jurors, was that any changes which had been made on the three sheets took place during the time he left Garrett and Ferrell alone in his office.

The conclusion appeared a reasonable one. Garrett and Ferrell were familiar with the procedure of election returns. Then, too, it seemed admirable of Reid to be so forthright in his exposure of them even though he might face disapproval of the jurors on a charge of carelessness.

Reid was even further accommodating. He revealed that on the night of June 11, he and Bruce White had met Garrett at the Albert Hotel in Selma. His purpose, he said, was to ask Garrett what had happened to the returns while Garrett and Ferrell were alone in Reid's office. Garrett, to what, Reid said, was his great surprise, admitted that he and Ferrell had doctored the official figures, but he tried to put Reid at ease, assuring him that everything would be all right. He talked at

length about his powers as Attorney General and pointed out that he could supersede Circuit Solicitor Perry before the Jury if matters became too uncomfortable.

With Reid back in town, members of the election committee of the County Democratic Executive Committee called a meeting on June 16 and invited Solicitor Perry to join them. They were disturbed by the fraud and thrashed the puzzle out among themselves for several hours.

They knew, of course, that Reid had testified before the Grand Jury, but they knew nothing of his visit to Selma nor the details of his testimony and Solicitor Perry was bound by law not to reveal what Reid had described.

The committee decided to issue a public statement, which said in part:

"The alteration of the figures was unknown to the members of the committee or the chairman, secretary, or clerk thereof, at the time of certifying the results thereof to the State Democratic Executive Committee, and it is the conclusion of this committee that said alteration was made by a party or parties unknown."

Members of this group besides Reid himself, consisted of H. A. (Gus) Thompson, the clerk, and Earle J. Ellis, William C. Brannon, H. A. Bowron, Chief Deputy Sheriff Clyde Morris of Bessemer, and Sidney Snyer Jr., the latter being a relative of Reid's by marriage.

Perry, unable to tell what he knew, was startled by the committee decision and warned members they would live to regret such action.

"Lamar Reid," Perry said, "had all three official tally sheets in his possession. Each of you say the results were changed. I say that Reid either changed them or knows who changed them. He's either the dumbest man in the world or a crook."

While ignoring Perry's advice, the committee followed his suggestion that Private Detective Bodeker be employed to conduct a thorough investigation. Mr. Thompson had been trying to do that for three days but Bodeker had been out of town.

From this meeting, Solicitor Perry went to his office on the sixth floor of the Courthouse. Reid went with him. Perry succeeded in reaching Bodeker at the latter's office. The solicitor traced events up to the moment and told the detective it was important to the success of the Grand Jury's investigation that the real facts of the meetings in Selma between Garrett, Reid, and White be uncovered. Reid took the telephone and assured Bodeker that his services were needed. As chairman of the county committee, Reid added, he had authority to hire Bodeker for the committee and was authorized to pay him \$1,500.

The fee was considerably lower than Bodeker ordinarily received but, evaluating the importance of the case along with the fact that the committee was not wealthy, Bodeker took the assignment on the basis stipulated. He left Birmingham that afternoon, Reid and White accompanying him, to ascertain what had transpired at the Albert Hotel in Selma.

Reid talked to Bodeker at length during the ninety mile trip. He said he had come from Florida, Garrett from Oak Hill, Alabama, and White from Birmingham, to hold the pow wow in Selma. As a lawyer, Reid explained, he could visualize that unless Garrett would substantiate his story about how the vote change was accomplished, he, Reid, would be in serious trouble.

To Bodeker, as he had to the Grand Jury, Reid explained that Garrett had tried to impress him with the fact there was no cause for worry.

"You're just a young fellow," he quoted Garrett as saying. "This vote thing comes up all the time. If necessary, I'll send Perry up to North Alabama on a five dollar cow stealing case and take his place before the Grand Jury myself. By that time, it'll all blow over. You've got nothing to worry about."

The hotel visit proved that Reid, White and Garrett all had been there on June 11, but there was one important addition. Reid had registered under the name "Frank Long." He said Garrett had suggested it. The real Frank Long, a young lawyer just out of the University of Alabama School of Law,

was living in Jasper, but traveling the entire state for his knight in shining armor—Jim Folsom. Long then was president of the Alabama League of Young Democrats and was in the midst of purging chapters which were not solidly behind his idol. "Frank Long" was a name that was to appear repeatedly. It was used by Garrett as a pass word, as a ready means of knowing that a close associate wanted to get in touch with him on a matter of importance.

Returning to Birmingham, Bodeker carried the same conviction that had smote the jurors; that Reid was telling the truth throughout. Bodeker relayed his findings to Perry who subpoenaed the Selma hotel employees to tell their stories to the Grand Jury.

Free to reflect upon the situation at large, Bodeker theorized that if Garrett and Ferrell had telephoned Reid before visiting at his office on June 4, they may have been in town overnight or during the day. His next step, to test the logic of that thought, was to canvass Birmingham hotels, and right here the puzzle began to take on shape. A strange pattern emerged.

Bodeker discovered that at the Molton Hotel on June 4 at 1:01 P.M., "Frank Long and Party" had registered in Rooms 802 and 804. The "party" was Si Garrett. Frank Long, in this particular instance, was the real Frank Long. The trailing candidate for Attorney General, Lee Porter, had signed in at the Thomas Jefferson Hotel, with his wife, at 1:18 P.M. In a fourth hotel, the Bankhead, thirty-four-year-old state senator-elect, Neil Metcalf, had registered at 3 P.M. with Solicitor Ferrell.

The converging arrival of these individuals could, of course, have been nothing more than coincidence. If that was so, however, it was yet more coincidental that none of them had registered at the Redmont Hotel, where Garrett generally was given the Governor's Suite, and where both Ferrell and Porter often had stayed in times past.

Now began a check of telephone calls made from the rooms of the newcomers. These revealed another presumably interlocking arrangement, in that they had telephoned back and

forth among themselves. Equally important was the disclosure that several of them had been in touch with Reid, both at his home and at his office. The crack in the organization widened a bit, for Reid insisted he had heard from Garrett and Ferrell only once by phone on that day of June 4.

There was more to come. Bodeker learned at the Molton that about 4 P.M. that same afternoon someone from room 802 had sent to the lobby for an adding machine. Then came the information that Reid had visited the hotel not only on June 4 but again the following day. By this time it was obvious that Reid's original yarn to the grand jury was as full of holes as a sieve.

The Grand Jury had not been idle while Bodeker carried on his phase of the probe. From witnesses it gathered constantly more data and supplied Bodeker with new leads. The Jury also had been in contact with Garrett and made arrangements for him to appear as a voluntary witness on the morning of June 18.

Garrett was fully cognizant of the testimony which Reid had given the jurors and came prepared to dispel the clouds of doubt which were settling about his mantle. Walking boldly into Solicitor Perry's office, he loudly proclaimed his purpose in being present was to clear his name of insinuations. His testimony, he emphasized, was voluntary and he planned to prove his innocence by documents in every important detail. The fact that a Birmingham newspaper that morning had reported that two unnamed out-of-county officials had changed the vote did not upset Garrett in the least. He said he found no fault with the account.

Garrett pounded into the Grand Jury room like a lion after a fawn and the door shut behind him for what turned out to be an all day session.

Garrett is a marathon talker. He goes into minute explanations over non-essentials. He jumps from subject to subject like corn popping in a hot pan. He is obsessed with the pronoun "I" and before he finished his testimony at 5 P.M., the jurors were worn to a frazzle. The first idea Garrett attempted

to get across was that he had authority to discharge the Grand Jury or to remove Solicitor Perry. He cited the example of a former Attorney General who had done just that in Mobile. He read from law books. In short, he tried to convince the jurors that he was an important man. He did not succeed.

"Do you," asked Solicitor Perry, "plan to remove me or discharge this jury?"

"Oh, no," Garrett said.

Garrett was of little if any help to the Grand Jury. About the only item which proved of some benefit was his statement that Reid had long-distanced him from Panama City to Oak Hill the week after June 4. Reid had called in the name of "Frank Long."

Never one to keep all of his plans a secret, Garrett volunteered the information that when he finished before the jurors he was going back to his home in Montgomery. The day being done at the Courthouse, Deputy Solicitor McCall dropped Garrett off at the Redmont Hotel. Going up to the desk clerk, Garrett asked for his key and for any messages and told the clerk he was ready to leave.

Bodeker, who was sitting in a chair in the lobby, overheard this remark. It was perhaps an unfortunate occurrence that he did so. Bodeker's intention had been to rent the room next to Garrett's for the night, having learned that it was vacant. Hearing Garrett's remark, Bodeker changed his mind and in a few minutes left the hotel for home. Garrett did not.

He met Frank Long who was with some friends. Disliking to be alone at any time, the Attorney General invited Long, Long's friends and their wives to be his guests for dinner in the Governor's Suite. The invitation was accepted, the crowd gathered, dinner was ordered, and drinks began to flow. Garrett avoided the hard liquor but consumed quarts of sparkling water. He has been known to drink six quarts in the course of an evening. Fun and joviality were the watchwords as the party progressed under the benevolent auspices of the Attorney General.

While festivities continued in Birmingham, at 7:49 P.M.,

a party in Phenix City—where it was an hour later—tried to reach Garrett at his home in Montgomery. The party calling said he was using Telephone Number 8-6028, the office phone of Solicitor Ferrell. The transaction consumed three minutes.

At 7:53 P.M. someone using the same Phenix City telephone contacted the Redmont Hotel and asked for Frank Long. This conversation lasted four minutes, and Long later said the caller was Solicitor Ferrell.

Again at 8:01 P.M. an incoming Phenix City long distance caller asked for room 720, the Governor's Suite, at the Redmont, and this time the proceeding required thirteen minutes. Long claimed that this, too, was Ferrell and that Ferrell talked with Garrett.

When the conversation was completed, Albert Patterson was dead.

Telephone lines around the state began to hum. Neil Metcalf, at Geneva 198, contacted Long at 8:50 P.M. in a conversation requiring thirteen minutes. At 9:30 P.M., Long telephoned a Montgomery number and asked to speak with Representative-elect T. K. Selman of Jasper. Following a two minute chat, Long next reached Garrett's home and asked for Selman again and this time the chit-chat required twenty-five minutes. At 10:07, Metcalf in Geneva called Ferrell at 8-7377 in Phenix City. At 10:15, Garrett telephoned Ferrell at the same number. At 10:44, Long was back in touch with Metcalf at Geneva 177J.

These weren't the only calls made from or to the Governor's Suite that night. Contact was established with Tuscaloosa, Mobile, Auburn and other cities.

Garrett's hotel bill for the one night stand came to slightly more than \$180. The next day, instead of going home, he went to Phenix City. This was properly in keeping with his status as chief law enforcement officer of Alabama.

On Monday, June 21, Perry and Bodeker conferred in Perry's office. They reviewed their findings up to that time and agreed that Reid had been less than truthful with them. A telephone call to Reid resulted in a meeting between him

and Bodeker in the detective's offices at the Frank Nelson Building. Bodeker informed Reid that the Grand Jury was now convinced he had lied in his previous appearances. Reid denied the allegation.

"Lamar," Bodeker said, "I know you haven't told me the truth and I'll tell you why I know you haven't. You told me, and the Grand Jury, that the only time you saw Si Garrett and Arch Ferrell on June 4 was in your office. You know that you went to the Molton Hotel and went to rooms 802 and 804 and that you took the official tabulation sheets with you. You were also in the same hotel room with Garrett, Ferrell and others on Saturday, June 5."

For the first time, Reid lost his composure. "How'd you find that out?" he asked in amazement, dropping his shield of innocence.

"That's my job," Bodeker said.

"Well, Mr. Bodeker," Reid said, "it looks like you've got the dope on me. This thing's nearly run me crazy."

Bodeker told Reid that, as an attorney, of course he knew his rights, but a full statement of the facts would be welcomed. Reid said he realized he had made a fool of himself and agreed to tell the whole story.

Thus was reached the turning point in the life of a young man who had taken the wrong road at a crucial moment in his existence. Reid had been raised by an uncle who had placed full confidence in him and worshiped him as a son. He had married into one of Birmingham's most respected families, had been given an office in the family's law firm, and through the guidance of an uncle-by-marriage had achieved chairmanship of the County Democratic Committee. He was financially secure, prominent socially, and promising politically. Within a few weeks, he was ruined socially, and finished politically.

With Reid's admission, Bodeker was curious about one item.

"Why'd you hire me to conduct this investigation when you knew you'd helped to steal the votes?" he asked.

"To tell you the truth, Mr. Bodeker," Reid said, "I didn't think you'd be able to find out about it."

Bodeker and Reid made an appointment to meet Perry at the latter's home, where the detective informed the solicitor that Reid was ready to sign a confession.

"Is that right, Lamar?" Perry inquired.

"Yes, sir."

"Do you want any lawyers here?"

Lamar called his brother-in-law, White. "Bruce," he said, "I'm over at Judge Perry's house. The jig's up. Come on over here."

Perry called the Grand Jury shorthand reporter, J. W. Dickinson, to hurry to his house with pad and pencil. When all the parties were assembled, Reid made a complete statement which, when typed, came to sixty-eight pages.

"Don't sign it," Perry advised when the bill of particulars was ready, "until you show it to your lawyer. You've told one lie about this thing. Let's make sure this one's correct."

When Reid returned with the confession signed, he went before the Grand Jury once more.

"I've been to see my minister," he said. "I've told my family. I've made peace with the man upstairs. I didn't know I was dumb, but I must have been the dumbest man in the world."

The ordeal had taken its physical toll of Reid. He was drawn, haggard.

"What'd they offer you to change those votes?" a Grand Juror wanted to know.

"Well"—Reid smiled painfully. "I wouldn't expect you to believe this, but I'm going to tell you the truth. Garrett and Ferrell convinced me I was doing a great service for the state. I can laugh about it now. It's the first time I've been able to laugh in a long time, but they actually convinced me that Mr. Patterson was head of the gamblers in Phenix City. I thought two wrongs would make a right. I thought by making the change it would be the right way to get rid of the Phenix City gangsters."

With Reid's assistance from this point, investigators were

better able to unravel the mystery of the vote change. Piece after piece of the jigsaw fell into pattern. This was no amateurish attempt by two or three misguided individuals to alter an election. It was a vote steal on the grand scale, reaching from the little man to the big, to all parts of the state.

Early on the morning of June 4, Garrett's secretary in Montgomery called Reid's office in Birmingham to say that the Attorney General was on the way to see him. Garrett telephoned Reid between 1 and 2 P.M. and asked Reid to come to room 802 at the Molton, and to bring the official county election returns with him. Upon Reid's arrival, he was greeted by Garrett and later by Ferrell, and before he departed sometime later, Lee Porter and Frank Long. It is likely that Long was not familiar with what was taking place.

In another room asleep and not in on the change was Senator Metcalf. It was Metcalf who earlier had sent for the adding machine. And it was he who ran the tally of results in the Attorney General's race in Jefferson County.

Garrett was a rambler and was at his rambling best.

"I got up from a sick bed," he declared, "to win this race for Porter. I conducted a master campaign for him, a master campaign. I pulled him up from a deficit of 70,000 votes. That's a helluva lot of votes, young fellow, and I don't intend to lose now."

He reached into his briefcase and fished out a sheaf of papers.

"Patterson's crowd's stolen the election, Lamar. We've got to steal it back," Garrett continued. "That Patterson's the biggest crook to ever walk the face of this state. Why, can you imagine what it'd be like with him as Attorney General? That Phenix City crowd'd be walkin' in and out of his office carrying bags of money out in the open. Out in the open, you understand? Look at this," he ordered, opening some of the papers from his briefcase.

The records showed quite truthfully that Patterson at one time had represented some Phenix City gamblers in court

cases. There were other papers indicating that Porter was a fine, upstanding man whose past life was exemplary.

"We've got to get this election," Garrett said to Reid. "Is there some way you can make an error of 2,000 votes so it'll give the election to Porter?"

Unofficial returns, complete from all counties, had Patterson in front by some 1,400 votes. A heavy alteration of 2,000 votes in one county would reverse the picture entirely and, since each candidate had been talking publicly of contesting the election if he lost, the burden of bringing the contest would fall on Patterson rather than Porter.

Reid was coy. Two thousand votes was a big change. It would be detected. But Reid was vulnerable now and it became opportune for Garrett to throw in his clinchers, to convince Reid of his importance and show him the weight Garrett carried all around the state.

Garrett led off with a story of how he could have been appointed to the State Supreme Court the previous year when a vacancy existed. The Governor was ready to name him to the post but Garrett rejected the idea. Instead, he submitted to Governor Persons the names of five individuals whom he thought qualified and recommended that the Governor choose one of these men. Persons, he said, selected State Senator Preston Clayton although Garrett contended that Clayton was the weakest possible appointment on the list. The first time Clayton ran for the office he was defeated.

Garrett's story was true in part. The Governor was prepared to do Garrett a favor by naming him to the high tribunal but a justice of the State Supreme Court intervened. The judge wrote Garrett's father, Coma Garrett, requesting him to persuade the Governor that the appointment of Si would be a mistake. Coma Garrett fulfilled the request.

Garrett's arguments were imposing and to lend weight to his position he periodically made long distance telephone calls while in conversation with Reid.

One such call went to E. C. (Bud) Boswell in Geneva County. By one of those truth-is-stranger-than-fiction coinci-

dences, a representative from Patterson's office entered the Geneva County Courthouse just as Boswell hung up the telephone after talking with Garrett. The Patterson man, Albert (Hawk) Howard, had come to find out why Geneva was so slow in reporting election returns. Boswell did not see Howard, as he hung up the phone and turned to members of the County Democratic Committee.

"I've just talked to Si," said Boswell. "He said to take ten or fifteen from every box and that probably still won't be enough."

Boswell then noticed Howard behind him and quickly changed the subject.

In the hotel room, Garrett had won Reid over but could get him to agree to a change of only 600 votes rather than 2,000. Ferrell agreed that 2,000 was too many to risk, that it would not be "smooth" to make the alteration so blatantly.

Reid took his leave, departing without any of the three official copies of the election returns he had brought to the hotel. Reid returned the next day, was shown where the additions had been made in a dozen boxes to increase Porter's votes, exchanged pleasantries with his fellow conspirators, and walked confidently back to the Title Guarantee Building to prepare for his vacation.

With these facts laid out accurately before them, members of the Grand Jury were primed for Garrett upon his next appearance on June 23. Garrett had spent the week end in Phenix City, talking much, entertaining, going long hours, but from all visible signs he had accomplished nothing toward solving the Patterson murder.

Garrett, testifying again, recalled that he received quite a few telephone calls from Reid in Panama City. Everyone of them, he said, had been placed in the name "Frank Long," but jurors were more interested now in Garrett's connections with the murder investigation and vote change.

"Did you," asked a juror, "receive a call from Mr. Ferrell about Patterson's death?"

"No, sir."

"You got no telephone call?"

"Not from Mr. Ferrell about his death."

"At the time that you all were in the Molton Hotel there in the room on Friday afternoon, June 4," someone inquired, changing the subject, "I'll ask you to state whether or not you had an adding machine up in that room that afternoon?"

"We did get an adding machine up there. It was never in the room Mr. Reid was in while I was there."

A juror inquired whether Garrett's "henchmen" were in the room with him.

"I prefer," said Garrett, "that you not refer to them as henchmen."

"Co-workers or anything you want to call them," the juror apologized. "I withdraw the word henchmen."

"It's all right for you to use it if you want to," Garrett said, "but to me it's offensive."

For ten and one-half hours Garrett remained with the jurors. He declared, upon being released as a witness, that he was leaving the state to rest up from the "ordeal" of the Patterson murder. Six days later, on June 29, his family labeled Si a "very sick man mentally" and said he was in a hospital in Galveston, Texas.

The very next day, on June 30, the Grand Jury returned indictments charging vote fraud against Reid, Garrett, and Ferrell. In a few weeks Garrett returned to Alabama to accept service of the indictment. Solicitor Perry filed insanity proceedings against him. Garrett, while driving in Mississippi with his children, ran off the road and broke his neck. The injury was not fatal but kept him confined for weeks.

(Ferrell, before going to trial on the charge, put out a feeler through his attorney to plead guilty and accept a fine. The state refused, hoping to make him serve time in jail. A twelve-man jury, however, acquitted Ferrell. Reid was found guilty later and sentenced to six months as well as being fined \$500. The case is on appeal at this writing. Garrett has not been brought to trial.)

Jurors took a recess but upon their return invited the two

top probers in the Patterson murder investigation to visit Birmingham and swap information. It was the jurors' belief that if the murder was tied into politics, as it seemed to be, a discussion of all the facts would be mutually beneficial. Accepting the invitation were Bernard F. Sykes, who had succeeded Garrett as Acting Attorney General while Garrett was away, and MacDonald Gallion, Montgomery lawyer. Gallion, who had finished third in the May 4 primary election for Attorney General, had supported Patterson in the runoff. It was Gallion whom Governor Persons sent to Phenix City as his special counsel in the murder probe, and it was to the Governor that Gallion reported.

The appearance of these two leaders did not instill the jurors with confidence. Gallion made a good personal impression but jurors were unable to learn exactly what he was supposed to be doing in Phenix City. Even Gallion didn't seem to know.

Sykes was even worse. He seemed to the jurors a junior grade Si Garrett in his egotistical summation of his findings. He appeared to be in water over his head and jurors were perturbed by the inescapable conclusion that, Phenix City public officials being held now in disrepute, the community still had no proper law enforcement even with Sykes present in the city.

This firmed up their belief that martial rule should be declared to restore law and order to a lawless county. Governor Persons was showing no signs of moving in that direction, however. Perhaps it was time for the jury to prod him. Perry forthwith dispatched a letter to the Governor inviting him to appear voluntarily as a witness. The Governor promptly replied that he was not trying to dodge, but he knew nothing about the vote steal nor had he any other information which would be of assistance to the Grand Jury. Jurors were not pleased with the answer. They had gone this far. They already had tracked down three public officials who they believed had exhibited irresponsibility to the rights of citizens and, Governor or no Governor, the jurors wanted to decide

personally whether Persons knew anything of importance in the current situation.

So resolved, jurors instructed Perry to telephone the Governor at once. Perry brought the telephone in from his office to the Grand Jury room and there put in a person-to-person call to Governor Persons. Again the Governor demurred, insisting he could do the inquisitors no good.

"Let me have that phone," said Jury Foreman Willcox, taking it from Perry.

"Governor," he said, "we don't know whether we have the power to subpoena a Governor and we don't wish to do anything to embarrass you, but it'd be to your interest to come here. If you refuse, we're going to subpoena you."

Three hours later the Governor of Alabama had made the one hundred mile trip from Montgomery and was knocking on the door to the Grand Jury room in Birmingham.

It was soon apparent that Governor Persons knew nothing of the vote fraud particulars. Jurors turned to other matters which had been worrying them. Why, for example, hadn't the governor taken steps to remove Garrett? Why hadn't he declared martial law in Phenix City as an aid to the murder investigation?

"I'm no lawyer, gentlemen. I'm an engineer," Persons said in reply to the first question. "My lawyers have advised me that I can't remove Mr. Garrett."

Whereupon Section 136 of the State Constitution was read to the Governor in which provision is made that if the Attorney General becomes mentally incapacitated, the Governor shall replace him and report that fact to the State Supreme Court which shall make a determination as to the man's sanity.

"Silas is a resourceful individual," Governor Persons insisted. "If I started something like that, he'd come back to the state in a minute. Let's leave him alone and he'll stay away."

On the question of martial rule, Persons again said he was an engineer and his attorneys had told him he could not

declare martial law. Again jurors read the law to him. It proclaimed that the Governor could use force to repel force but only such force as was necessary. Martial rule could be employed in aid of civilian authority, or to replace civilian authority if needed to restore order.

The topics were batted back and forth. Shortly before the Governor wound up his appearance, Foreman Willcox let him in on a secret. He said the Grand Jury planned to issue a report in a few days. Unless Governor Persons took positive action in the meantime, the findings might be highly critical of him. Jurors, Willcox explained, felt it was strictly the responsibility of the Governor to make certain Russell County had proper law enforcement.

"You'll just have to make the report," Persons said. "All public officials get criticized. I'm no exception."

He made no promises. The very next day, however, the Birmingham *Post-Herald* carried a front page "Open Letter to the Governor," urging that he use the full powers of his office to help solve the murder. The Governor got in touch with the paper's editor, James E. Mills. He was, Persons said, planning to take military action in Russell County, but he was unhappy over the open letter because he believed a member of the *Post-Herald's* staff had learned of his intentions and was trying to pave the way for the paper to take credit for the action. Mills assured him this was not true.

Later that day of July 16 the Grand Jury recessed to wait and see what the Governor was going to do, if anything. Apparently in between his testimony of July 15 and the recess of July 16, Persons made up his mind.

He must have been aware of the mood of the Grand Jury, and he did not care to risk further adverse publicity. The entire responsibility for the vote fraud, the murder investigation, and conditions in Phenix City would have been laid flatly at his feet.

On July 22, he declared a state of qualified martial law for Russell County.

The Grand Jury reconvened on August 2 with Governor-

Nominate James E. Folsom as a witness. His testimony was of no help and he was not yet in a position of official authority in which he could have been held accountable for aiding in the hunt.

Jurors were weary. They had been detained two months longer than they had anticipated and some of their employers needed them back on the job, but they had one final phase to enter before adjourning. In top secret manner they had brought Lee Porter to their quarters and he had admitted receiving some \$25,000 from Phenix City gamblers for use in his campaign. It remained for the jurors to give the gamblers a chance to have their say about this support, for if they denied making contributions they could be indicted for perjury.

Subpoenas were delivered for Hoyt Shepherd, Jimmy Matthews, Godwin Davis, Sr., Godwin Davis, Jr. and other brass hats among the gamblers. They arrived in Birmingham the night prior to their scheduled appearances before the Grand Jury and visited a Birmingham attorney for advice on what they should do. The gamblers had an ace up their sleeve, which was nothing unusual for them. They knew that Porter had testified and Davis Sr. had requested, and obtained, from Porter much of the data he gave the jurors. The Birmingham lawyer informed the underworld personages of their rights and called to their attention the Fifth Amendment to the United States Constitution which specifies that an individual need not give testimony which may be self-incriminating.

Pudgy, cigar-smoking, Godwin Davis, Sr., owner of the Manhattan Club, was the first gambler called into the jury room. He refused to answer questions about financial matters. Jurors assured him he would not be indicted for merely contributing to Porter's campaign, but Davis would not reverse his position.

Circuit Judge Alta King was in his courtroom and the jury hauled Davis before him. The jurist warned Davis that his failure to answer would lead to a contempt of court charge. Davis, Judge King said, would go to jail and stay there until he did reply. That helped Davis make up his mind and he sub-

stantiated Porter's testimony that about \$25,000 had gone into the Porter campaign from Phenix City.

"What'd you fellows give that \$25,000 to Porter for?" a reporter asked Davis later.

"What'd you ask a silly question like that for?" Davis shot back in reply.

On August 4, the Grand Jury made its final report and adjourned. Besides Foreman Willcox, the other members were William Hinton Wise, Cecil Lewis Traywick, Ross R. Reid, James T. Qualls, Rush Huey Parsons, Royce D. Northcutt, George L. McNeal, John B. Jolly, Robert C. Johnston, Charles Oscar Hester, Morris L. Hawkins, James Belton Harkins Jr., William C. Gullahorn, Charles Hoyt Ellis, Archie John Dailey Jr., Gourley F. Crawford, and John Knox Adams.

The jury and Bodeker had dug up and put together the picture of statewide deceit. In the chapter entitled "Background for Fraud," are included other matters this group of men uncovered. Bodeker's fee of \$1,500 eventually was paid not by the committee which had hired him, but by Reid and Reid's uncle-in-law, Sidney W. Smyer, Birmingham, each of whom put up \$750.

The importance of the discoveries by Perry, Bodeker and the jurors cannot be underestimated. Nor can one other fact: If the machine had stolen only 1,500 more votes, Porter would have been in front of Patterson and probably would have been upheld in any vote contest. Porter—under indictment in Montgomery for falsifying election donations—would now be Attorney General of Alabama. Si Garrett—in a Texas mental institution—would be an assistant. Albert Patterson probably would not have been killed and the story of Phenix City would remain concealed as Alabama's fountainhead of fraud, fakery, and fornication.

BLOODLESS TRIUMPH

A SLOW DRIZZLE PREVENTED Lieutenant Colonel Jack A. Warren, of the Alabama National Guard, from taking his noon-time sunbath, a luxury enjoyed only during the past three or four days after four weeks of round-the-clock work. He was processing paper work at his desk in the Armory at Phenix City at 2:30 P.M., July 22, 1954 when the sergeant interrupted him.

"Montgomery calling you, sir. General Hanna."

Warren lifted the receiver, shifting the wad of tobacco to the other side of his mouth.

"Hello," he said.

"Get hold of Sheriff Ralph Mathews and Chief of Police Pal Daniel and have 'em meet you and me in the Sheriff's office at five-thirty," Hanna said.

Then he slammed down the receiver.

Warren blinked. Damned screwy situation, the general calling up like that,—something must be in the wind. Warren scrambled into his jeep to deliver the message personally. Neither Mathews nor Daniel showed any excitement and Warren returned to the Armory to await developments.

A few hours earlier, at Fort McClellan near Anniston, First Lieutenant James Roberts had picked up a busload of Alabama National Guardsmen and driven them into Anniston to eat lunch. Colonel James N. Brown, smoking his habitual cigar, looked quizzically at this crew he had just handpicked from a roster of twelve thousand names.

"Let's go, men," he said, checking his watch.

The five dozen soldiers poured into the bus, six private cars and one Army sedan and drove to the Armory in Phenix City where Brown saw them disembarked and continued on his way to the Courthouse to meet his chief, Major General

Walter J. (Crack) Hanna, Adjutant General of Alabama, who already had received his own orders.

On that July 22nd, Governor Gordon Persons had summoned General Hanna to the State Capitol in Montgomery. When Hanna arrived, it was past lunch time. The Governor handed him a paper which began, "WHEREAS, organized crime has for many years existed in Russell County, Alabama, particularly in Phenix City. . . ."

"You and those Birmingham newspapers have been wanting martial rule in Russell County," the Governor said. "There it is. Be ready to take over the police functions at four o'clock."

Hanna quickly read the proclamation. "Make it four-thirty, Governor," he said. "Give me time to get back down there."

"All right, four-thirty,"

Hanna rushed to the State Military Department with Lieutenant James P. Helton, where they picked up Warrant Officer Oscar Coley, and the trio barrelled the eighty miles to Phenix City, reaching the Armory at 5:17 P.M. Eastern Standard Time; 4:17 P.M., Central Time. Hanna hopped out of the car. Lieutenant Colonel Warren was waiting.

"I want two groups of men formed right now, twelve men in each group," Hanna ordered.

The men were ready, armed with carbines, submachine guns, and automatic weapons, dressed in raincoats against the drizzle. They piled into two trucks, one batch going to the Courthouse under command of Lieutenant T. S. Haines, and the other to the City Hall with Captain Joseph T. Masters.

Hanna was accompanied by Lieutenant Colonel Warren, Captain Richard A. Peacock, First Lieutenant George J. Stacey, Lieutenant Helton, and Warrant Officer Coley.

"Incidentally," said Hanna casually, turning to Warren, who, in civilian life, was a lieutenant of the Birmingham Police Department, "you're now the Sheriff of Russell County. We're taking over the Sheriff's office and police department at five-thirty."

At the Courthouse, Hanna marched into the Sheriff's

office, flanked by the officers. Mathews, surrounded by most of his deputies, and Daniel were waiting. Lieutenant Haines and his men, with weapons at the ready, surrounded the Courthouse, guarding every door and window. Citizens passing by stopped to gaze in wonder.

"You deputies," Hanna said, inside the Sheriff's office, "excuse yourselves. I want to talk to the Sheriff."

Dismayed, the deputies filed out.

"Sheriff," Hanna then said, "I have a duty to perform. I've been instructed by the Governor of Alabama to take over the functions of your office immediately. You and your deputies, and Chief Daniel and his policemen, will be disarmed. We'll take over your badges, your records, and your jail. All of your equipment will be impounded. My authority comes from this proclamation:

"WHEREAS, organized crime has for many years existed in Russell County, Alabama, particularly in Phenix City; and whereas, a gang of men have conspired and are conspiring to thrive on the systematic exploitation of rights; and whereas, the organized lawless activities of this gang continue to hamper the investigation of the murder and the ferreting out of the murderer of Albert Patterson and other crimes; and whereas, there exists in said community a serious emergency, a defiance of the Constitution and laws of Alabama, a state of lawlessness, breach of the peace, organized intimidation and fear, and there is continued and imminent danger thereof, which the local peace officers are unable or unwilling to subdue;

"Now, therefore, I, Gordon Persons, as Governor of Alabama and Commander in Chief of the Alabama National Guard, do hereby proclaim a state of qualified martial law in Russell County, Alabama.

"I further instruct the Adjutant General of Alabama, now actively on duty with units of the Alabama National Guard in Russell County, to take over, assume, supersede and exercise all the activities of the Sheriff of Russell County, Alabama, the Deputy Sheriffs of said county, constables, Chief of

Police of Phenix City, and all police officers of said city, and until further orders from me to take and continue to take appropriate measures to suppress the state of lawlessness, intimidation, tumult and fear which reigns in said area."

Hanna departed with his entourage of Guardsmen, leaving Warren installed as the new Sheriff. It now was a few minutes past 5:30 (4:30 in Montgomery, where Governor Persons was reading the proclamation to newsmen) and Hanna was joined in the hallway by Colonel Brown. They sped the three blocks to City Hall and repeated the performance, with Brown replacing Daniel as Chief of Police.

Brown never changed expression. He had seen civil riot duty before. He was ready. His restaurant business in Birmingham would wait for his return.

Within minutes, a new page of history had been written in the annals of the National Guard, and, for that matter, into American history as well. Never before in the United States had a situation exactly similar to qualified martial rule been declared. The entire operation had been pulled off as effectively as though the unit had executed a dry-run dozens of times. The purpose of the move was to place the police jurisdiction in the hands of the Guard. Other governmental functions continued under civilian administration.

Governor Persons issued the proclamation on July 22, five weeks after Albert Patterson was slain.

He issued it after conferences with members of the State Supreme Court and authorities in federal courts; after consulting numerous constitutional lawyers in Alabama; after he held discussions in the White House in Washington, with the Federal Bureau of Investigation, and his brother, Major General Wilton (Jerry) Persons, an assistant to the President; and after being pressed by General Hanna, the Birmingham Grand Jury, the two Birmingham newspapers, and numerous prominent citizens to order the operation.

For the Guardsmen it was the second phase of their duty in Phenix City. The first had begun near midnight of June 18, the night Albert Patterson was assassinated.

Hanna was returning to Birmingham from Gadsden, that June night, where a new Guard unit had been activated. Lieutenant Colonel Anthony V. (Tony) Jannett III was driving. As the two men talked quietly, they caught the name "Hanna" over the car radio, advising him to contact Birmingham at once. It sounded urgent.

The general immediately tried to raise Birmingham on the radio, but an Alabama Highway Patrol call letter with which he wasn't familiar was being broadcast and the announcer would not relinquish the air.

"Now," said the announcer, after several minutes, "who's that trying to bust in?"

"This's General Hanna. I'm trying to reach Birmingham."

"Don't you know what a Signal Seven is?" the voice asked caustically.

"Hell, no," replied the general.

It was, the man took condescending pains to explain, a precedence signal, excluding all other calls, and he was attempting to round up patrolmen to be routed into Phenix City. Not till he finished his lecture did the broadcaster trouble to advise Hanna to telephone his home for the message awaiting him.

Hanna and Jannett stopped near Springville, but the only telephone they spotted was an old-fashioned job that needed cranking. Once the general got through to his wife, Vera, he was informed of the Patterson affair and told that the Governor was trying to reach him.

"Step on it, Tony," Hanna said.

Jannett did just that. He did it so well that in Trussville, a policeman stopped him for speeding but waved him on after learning the reason for the hurry. Another policeman whistled him to a halt on the outskirts of Birmingham and, being advised of the need for speed, led Hanna and Jannett to the Armory on the other side of town at eighty-five miles an hour.

Hanna telephoned the Governor and received instructions to look into the situation at Phenix City. The General notified

the Guard outfit, Co. C, 167th Infantry, in Phenix City to alert the unit and put men on stand-by.

Next he telephoned Colonel Warren, whom police associates once had called "Doughbelly" because he weighed two hundred and twenty pounds and stood about five feet, nine inches. ("Doughbelly" Warren decided to lose weight when he learned of his nickname, and quit eating for days at a time. He lost between sixty and seventy pounds.)

Warren was thirty-seven, a guardsman for twenty two years. He had risen through the ranks and now was provost marshal of the 31st Infantry (Dixie) Division. Hanna knew him well and had confidence in his ability.

"Jack," Hanna said to Warren, "Albert Patterson's just been killed. The Governor's ordered us to Phenix City to take a look. Get your fat ass over here to the armory at four A.M., ready to go."

The General next routed out his son, seventeen-year-old Pete, a private in the Guard, to drive him and Warren to the east Alabama town. They made the one hundred and sixty miles in two hours and ten minutes, coming to a screeching halt in front of the Courthouse. Sheriff Ralph Mathews met them, declaring he had the situation well in hand.

Dissatisfied with Mathews' summing up, Hanna and Warren immediately made a personal survey of conditions to determine if troops were needed to protect life and property and to prevent the possibility of a riot. At noon, Hanna had made his decision.

"We're going to stay," he said.

He began ordering troops in from nearby cities, placing Warren in charge as commanding officer with orders to prevent property destruction, to disperse crowds, and put a stop to gambling anywhere it was encountered.

Between four and five P.M., the men began reporting in. They were GI's with years of experience as soldiers, most of them with police, city or county employment know-how. Before nightfall, cots arrived from Montgomery. Lieutenant

Carlton Smith, of Phenix City, and his men policed the Armory and helped patrol the county.

By six P.M., thirty-three men were on duty. They were assigned at once to patrol duty, supposedly eight hours, but they worked double shifts.

A helicopter was flown in by Captain William E. Davis on June 20 and maintained sky surveillance to spot crowds or gamblers who might be smuggling contraband out of the county over dirt roads. Within two days the whirly-bird crashed and Captain William Bishop, a civilian highway patrolman making his first flight, received a broken leg. A second helicopter was rushed in to replace the one that had been damaged.

Arrival of the Guardsmen in Phenix City created a condition the underworld, gamblers, law enforcement officers, and private citizens had not expected. It called for new strategy by the crooks. But the underworld low-rated the Guard, to its own later disillusionment.

The gambling-political combine swung into the routine which was customary when an outside influence threatened the empire. Word was passed for everyone to play dumb. Those who violated this procedure could expect retribution, but many citizens telephoned Guardsmen pleading for protection because, they said, they feared the gangsters would descend upon their homes in the night.

Among those to whom word was sent to keep his mouth shut was attorney Joe Smith, who had a few weeks earlier been nominated for the State Senate without machine support, and with backing from the Russell Betterment Association. Joe was a law-partner to his older brother, Roy, the city attorney for more than twenty years.

In the before dawn hours of June 19, Joe received a telephone call to watch his step. Frightened, he asked the troops to furnish guards for his home. He told them he was thinking of moving his family to Tennessee for safety. Both Joe and Roy feared that a wild man with a gun, a member of the gambling-political clique, would bust into their homes, blaz-

ing away. General Hanna said Joe Smith was the most terrified man in the county.

For weeks the Guard patrolled Joe's house until the State Senator-elect complained that Guardsmen were annoying his wife. The soldiers were removed in a hurry.

Shortly after Joe's fear diminished, he and brother Roy went to court with Attorney Jake Walker of Opelika to defend E. L. (Red) Cook on a charge of murder. Walker, with Joe and Roy sitting by, denounced the National Guard for bringing to Phenix City a reign of terror.

Walker said a state of fear and intimidation had seized the county since the Guard took charge. He claimed his client could not receive a fair trial as long as the Guard remained in town.

Walker made this absurd statement despite the undisputed evidence that for years, in Russell County, the machine had picked and controlled juries. Joe, the man who had to run to the Guard for protection, now was viewing the situation differently.

And, despite his apprehensions after the murder, it was Joe Smith again who appeared in court as one of the lawyers for the area's acknowledged kingpins: Gamblers Hoyt Shepherd and Jimmy Matthews and Chief Deputy Sheriff Albert Fuller.

The first night that Hanna and Warren were in Phenix City they rode through the vice area to make certain everything was calm. They also wanted to learn firsthand whether gambling had ceased as Hanna had directed.

Honky-tonk operators were eye-balling the situation. When they saw Hanna's car stop at the Bama Club, the sidewalk contingent closed in to learn the score. Someone in Hanna's car, while it was cruising slowly, had heard a noise coming from the Bama Club that sounded like slot machines.

Hanna went up to the door and banged on it with his closed fist. Stewart McCollister and J. D. Abney, two big bruisers, answered the knock. Hanna, about five feet eight inches,

with close-cropped gray hair, looked up at them, his jaw jutting forward.

"Are you bastards gambling in there?" he asked.

"You can't talk to a private citizen like that," one of the two replied.

"The hell I can't," Hanna said. "I didn't come here to teach you bastards a Sunday School lesson."

Three Guardsmen who had been patrolling shoved their way into the club. They found employees using a machine to sack nickels, dimes, quarters, and half-dollars taken from slot machines. The next day Hanna ordered a truck around to confiscate the gambling devices.

As he was leaving, Hanna was stopped by Abney and McCollister who offered to send him a case of Scotch and a case of bourbon. Hanna didn't think it was funny. At the same time he noticed that his son, Pete, was not in the car where he had been ordered to remain, but glancing quickly around Hanna spotted the boy directly behind him with his hand on his .45 automatic.

"He," Hanna said proudly later, "was going to kill those sonuvabitches."

Carrying out the general's orders the following day, Warren called at the Bama Club with troops to pick up the gambling machines. With him was Spencer Awbrey, a small man, photographer for *The Columbus Ledger-Enquirer*. J. D. (Frog) Jones, an associate of McCollister and Abney, saw Awbrey and wagged his finger in the photographer's face.

"You ain't going to come in here and take no pictures," he shouted. "I'll shove that camera up your ass."

Warren shifted his tobacco. "Shut up," he said quietly to Jones. "You won't do no such a damned thing."

Jones glared at Warren and dashed off to a telephone booth. "I'm going to get this stopped," he shouted.

"Go ahead and call and see what the hell happens," Warren replied.

Jones hesitated, then replaced the receiver on the hook. His reaction was typical. Another man loud-mouthed threats

at the Guard and ended up in jail. A third one tried to attack Photographer Awbrey but was forcibly restrained and later apologized to Awbrey for the attack. The Guard took the stinger out of the tough guys individually and in groups.

For the following three weeks, Guardsmen pulled around-the-clock duty, walking guard, participating in raids with civilian law enforcement officers, and helping to maintain order.

Guardsmen had no authority to conduct raids. All they could do was accompany deputy sheriffs and the highway patrolmen. Deputies usually led the forays because they knew the county, but it took only a few raids for the Guard to become convinced the deputies were doing less than their best. It was obvious that, in some of the night spots visited, the deputies knew ahead of time that gambling was permissible there, but had not done anything about it in the past. The Guardsmen also realized that often, while the deputies would be leading them to some little shanty on the outskirts, a truckload of illegal paraphernalia would be rolling out of town in a different direction. Probably half the houses in Phenix City were checked during the three weeks this search and seizure continued. Wherever gambling implements were found, a National Guard truck would come to pick up the stuff and dump it in the County jail yard, to await condemnation proceedings by the courts.

Everything the Guard did was not in conjunction with civilian police. They had their own men patrolling in National Guard cars, but soon they learned that the Sheriff's office had a spy system at work to keep posted on Guard activity.

Guardsmen were followed; their actions reported to the gambling-political kingpins. City police tuned their radios to the highway patrol frequency which the Guard was using and monitored the calls.

It was important to the underworld to know what plans occupied the Guard. For while Guard activities were extremely limited in the five weeks immediately after Patterson's death, the Guard was preparing for bigger things.

Hanna organized his own Counter Intelligence Corps under Captain Peacock, of Birmingham, and it was he who first learned that he was being trailed by city and county police.

Peacock's duty was to learn exactly what had gone on in Russell County and in the night clubs before June 18. He worked with the Commanding Officer of Fort Benning, the Criminal Investigative Division, and other units at the fort to gather background. He reported his findings in writing and verbally to Hanna.

Meanwhile, the General was hopping back and forth between Phenix City, his Summer Guard encampments, and the Governor's office in Montgomery, posting the chief executive on all developments.

While the Guard was conducting its own undercover research, it learned the machine was holding daily meetings in a tourist court behind the Steak House Café. Both the Café building and tourist court were owned by Kingbee Shepherd and one of his puppets, City Clerk Putnam. Mayor Elmer Reese had living quarters in one of the rat-dirty cabins. All but one other shack was in disuse and not open to the public but chiefs in the gambling and political circle would gather amid the debris for their strategy conferences.

Warren wanted to case the stronghold of the enemy and with Master Sergeant James Kennedy, of Lanett, he drove to the Steak House, into the tourist courtyard, and turned the car around. They saw nothing suspicious.

"Let's get a cup of coffee," Warren said to Kennedy.

As they drove out, they were approached by the brother of City Clerk Putnam who asked what they were doing in the lot.

"Just lookin' around," Warren said.

"I'll tell you now to do your lookin' somewhere else. You got no business in here," Putnam said.

"Look," said Warren, "we can and will go to any place at any time and look at anything in this town."

"If you come in here again I'm going to call the police."

"Be callin' the police because I'm going back in," the Colonel declared.

Warren and Kennedy drove back into the tourist courtyard and just sat, but they switched on the radio and summoned armed reinforcements in event of trouble. Several jeep loads of Guardsmen arrived but the police never did.

About ninety minutes later, after Warren had departed, two Guardsmen were arrested at the tourist court by city police and charged with reckless driving. Warren obtained their release after consulting with Mayor Reese.

Both the Guard and the highway patrol originally used the Sheriff's office for a base of operations. Soon they learned that this was a mistake. No one would come there to talk with them, so the two groups set up a joint headquarters a block and a half away. Lieutenant Colonel Burnell Abel, Signal Corps officer, brought in mobile radio equipment from Birmingham and Montgomery.

Hanna became convinced, after three weeks in Phenix City, that under existing arrangements the core of evil never would be uprooted. He became certain, too, that every law enforcement agency which had anything to do with the county eventually became corrupted either by being paid off, by joining the crooks as partners, or simply by looking the other way.

He received data showing that persons connected with the state parole system, the Alcoholic Beverage Control Board, the highway patrol and others were ignoring their duties in Phenix City which he discovered served as a narcotics brokerage headquarters for rings operating in the vicinity. It was so wide open that one or two doctors would give a man a shot right on the street, if the addict could pay the tariff.

The General learned that even the federal government was not immune to the Phenix City influence.

Income tax men from Birmingham had been sent to the city several years earlier. Gambler Shepherd made an instant trip to federal field headquarters in Atlanta and within a few

days thereafter the feds were given other assignments, not in Phenix City.

All this information Hanna relayed to the Governor and continued to needle him to declare martial rule as providing the only way in which a proper job could be done.

Surface results, despite the handicaps, could be noted from Guard efforts in the few weeks after the June 18 slaying. Twenty-five percent of the honky-tonks were closed tight. Ninety percent of the prostitutes had skeddaddled to more lush territory, many setting up shop in Aiken, South Carolina, an atomic-boom town.

On July 20, two days before the Governor's announcement of qualified martial law, Hanna told Colonel Brown to meet him at the Birmingham Armory, prepared to leave town and stay gone.

The General didn't know whether the Governor would relieve the civilian police of Phenix City but he was preparing for that eventuality.

Brown, Commanding Officer of the 152nd Transportation Group, was known as "Boxjar." In his old days as top kick of 'L' Company, 167th Infantry Regiment, he had been as rough and ready as they come. Even today his men know him as a C.O. who can make an unlit cigar burn in the culprit's pocket when Brown chews out a man. Hanna was Brown's company commander in those days, back in 1934. The general knew the Colonel as a firm yet fair man who could control troops and who had the ability to deal with the kind of people he would face in Phenix City.

At the Armory, Hanna handed Brown a National Guard roster with instructions to choose the men he would need to run Phenix City. No limit was placed on the number, although five days earlier Brown had sent fifteen men and three officers to the sin town.

This time, with Lieutenant Roberts, Brown studied the rolls. He desired select men, trained as jailers, wardens, policemen, lawyers. On July 21, Brown went to Fort McClellan

to consult records and ordered two dozen men out of Summer Camp to go with him.

Brown picked as his legal adviser and chief assistant Major E. Ray Acton. A thirty-three-year-old lawyer, Acton was an ideal selection because he knew both law and politics, as mayor of Homewood. In waging his own one-man battle for the office in 1952, Acton had taken on old-line office holders and had beaten them.

Blissfully unaware of what was pending, Warren was in the process of cutting his staff and had only forty men on hand when July 22 dawned. The raids had trickled down to nothing, the initial excitement and tensions were gone, Guardsmen had fallen into a routine operation, and Warren had found time finally to stretch out in the noonday sun for an hour or so.

On QML Day (Qualified Martial Law Day), the troops rolled in from McClellan and other points. At Zero Hour, the Alabama National Guard performed its assigned task without a hitch.

Citizens of Phenix City and adjoining Columbus, Georgia, were open-mouthed with surprise. A new feeling of excitement and anxiety gripped the community. No one knew what to expect next, exactly what the move meant, or how far the Guard would go.

They had not long to wait for these answers. The Guard was going as far as it could, legally, as fast as it could. The civil rights of the innocent were never threatened but anyone who had broken the law in the past could expect the Guard to swoop down at any moment.

A new series of raids began thirty-one hours after the Guard assumed police functions. Honky-tonks, visited in the first phase of the clean-up, were re-visited and this time the Guard, which had not been so empowered before, searched the premises from top to bottom. They broke down doors, found secret rooms and one-way mirrors; gambling equipment was discovered, hidden in attics, basements, and between the walls.

Lieutenant George J. Stacey, a Birmingham firefighter, best described an early raid and the reception Guardsmen received from the owners. Stacey was assigned with others to enter the Manhattan Café and search for a hidden room and a door leading to it.

"I contacted the owner, 'Sonny' Davis, and asked him to let me in," Stacey said. "I told him we were about to use an axe on the door. We waited one hour, made two or three more calls, when I happened to pass the bar next door which was open serving drinks. I saw Davis on a stool, having a cool Tom Collins, and wearing a smug expression. This expression was soon erased.

"We finally were admitted and proceeded to search for the hidden room and door. We found slot machine parts, numerous guns and clubs, also beer and whisky. Sandwiches were sold for five cents and beer for fifteen cents. Davis did not have a kitchen of any description.

"We found a trap door leading into a loan office upstairs. It was smashed. There we found a room with a one-way mirror where a person could sit and watch whatever went on downstairs.

"There was another door leading to the rear of an adjoining café, and to a cellar. These doors were heavy steel with jailhouse-type locks. Davis was very belligerent at all times. After several raids, and numerous inquiries, he became sociable."

Stacey said many records were found pertaining to the Metropolitan Lottery. These were turned over to Treasury men.

The gamblers now became frantic. They began loading equipment on to trucks, dumping it in the woods and in the river. Some of it they burned. Many hoods left town to avoid prosecution.

But not all of them panicked. There had been raids and cleanups before. This one, like the others, might hit a high point and fizzle, so the stronger sweated it out thinking their equipment secure where it had been hidden. They did not

count on tips which began to pour into Guard headquarters from citizens who had been afraid to talk in the past. A new series of sorties resulted, on houses and bars which so far had been untouched.

Guardsmen even found loot stored in a secret basement of Tommy (Dynamite) Capps' home, behind that of Godwin Davis Sr. A trap door to the basement was covered by a large portable closet.

Capps was arrested later on another charge when he picked the wrong time to haul burned slot machine parts away in a truck.

Guardsmen were working an alley in which they had been advised gambling paraphernalia could be found. They were trying to locate a house number when a truck rumbled into view. Hailing the driver, they asked if he could direct them to the proper address. The man behind the wheel turned out to be Capps, carting away the burned slot machine pieces.

The Guard was successful in tracking down lawbreakers because it had five weeks to reconnoiter the area before assuming command, and because of a topflight crew of men and officers.

Colonel Brown set up a detective bureau composed of such men as Captain E. W. Millar, Lieutenant Stacey, Captain Charles E. Cook, Lieutenant James Hartline, Warrant Officer Forney G. Hughes, and Warrant Officer Ray McFall, all of Birmingham. Their investigative work would rank with the best of that in any metropolitan area in the United States.

Lieutenant Colonel Warren had set up his organization, also. He even went to the Armory and appropriated several of Brown's picked men. First Lieutenant James M. Fullan, a Birmingham attorney, was installed as chief deputy and legal adviser to Warren. For three days, Fullan worked night and day sorting paper work until other attorneys were brought in to help him. Among these were Captain Lewey Stephens of Elba, Captain Elwood Rutledge of Haleyville, Captain Alton Turner of Luverne, Captain W. G. (Domie) Hawkins of Fort Payne and Captain Joe Cassady of Enterprise.

Guard activity was not limited to officers alone. Enlisted men worked as long and as hard. First Sergeant Joe Clark of Elba and Corporal W. L. Smith of Mobile set some kind of record over the weeks as they served papers out of Warren's office. Those two would come into the office, pick up a handful of warrants, or subpoenas, or summonses, go out and serve them, then return to the office again. This process they repeated over and over, day after day, hour after hour.

Master Sergeant E. S. Ratigan, Birmingham, was made county jail warden, and Sergeant First Class John Black of Bessemer was brought in after Fullan left as chief deputy. Warren said he could have spared almost any man in the outfit better than Black, who, after the Guard left, became civilian chief deputy of the county.

Sergeants First Class Troy F. Pounder and William L. Simmons, both of Mobile, did investigative work alongside First Lieutenant Harley Barton, of Jasper, and Warrant Officer Coley, of Mobile.

Sergeant John M. Patterson, of Oneonta, was appointed bodyguard to John Patterson, son of the murdered man (to whom he was not related), and was promoted to officer rank while in Phenix City. Master Sergeant James F. Waldrop, of Lineville, Sergeants First Class William T. Glover, of Ozark, and John L. Plummer, Oneonta, held down a desk sergeancy position along with Staff Sergeant James C. Key, of Ozark, and others. Private First Class Robert Cox, of Opelika, was radioman.

Among enlisted men working out of the Criminal Investigative Division under Captain Martin J. Wiman of Montgomery were Staff Sergeant James P. Nash and Sergeant George A. Parker.

But the most unusual soldier of the entire organization—and one of the best—was Sergeant First Class Percy Meriweather, a Mobile policeman.

Meriweather was a chubby man of about five feet, eight inches, whose cap rested down about his ears and whose uniforms all seemed too large for him. But Meriweather was a

soldier and a good one, despite his unsoldierly appearance. Every morning he would trundle across the floor of the Armory to the latrine about the time Warren was heading for the officers' latrine. Carrying his shaving gear, his undershirt hanging midway to his thighs, Meriweather would stop short, snap to attention, and salute snappily. He knew an officer, in uniform or out.

Once, in a café, Meriweather spotted two officers entering just as his fork was almost to his mouth. He jumped to his feet, dropping the fork in a clatter of dishes, and threw a salute at the two astonished officers.

However Meriweather, working closely with Captain Wiman, who in civilian life was criminologist and chief classification officer for the state prison system, helped break a number of cases, carrying out his duties with a high degree of efficiency and a minimum of instruction.

Another enlisted man who distinguished himself was Sergeant First Class Fred E. Green of Oneonta. Appointed as Colonel Brown's driver and bodyguard, Green later aided in the apprehension of Phenix City mobsters picked up in Florida. Green was a husky two hundred pounds and liked to kid with newsmen, constantly suggesting that they put his picture in the newspaper until the day Earline Harper drove grandly up to City Hall in a taxicab.

Earline tossed her head and swayed to the outside telephone booth. Identified with the prostitution rackets, Earline paid the gawking men little attention.

Then Clarke Stallworth, a reporter-photographer for the Birmingham *Post-Herald* handed Sergeant Green a camera and told him to take a picture of Earline and Warrant Officer McFall together.

Green aimed Stallworth's camera at Earline as she emerged from the booth. Seeing it, she jumped behind McFall and started to giggle. But when she peeped around McFall's arm, Green snapped her picture.

"You sonuvabitch," she shouted, shoving McFall aside.

Catching the startled Green by surprise, Earline pounded

him with her fists while Stallworth rushed in to save his camera. Earline spotted Stallworth and changed her direction of fire, but Stallworth, a giant of a man, dodged her blows and ducked inside City Hall.

When Earline became quiet, Stallworth ventured outside. "There," said Earline, "is that sonuvabitch."

She took out after Stallworth again and landed a few blows before he shouted, "I didn't take your picture!"

For some reason, that calmed her, though not for long. She spied Harry Cook, a reporter-photographer for *The Birmingham News*, who, along with some twenty-five other persons, was watching the world series on television in front of the fire station. Cook playfully aimed his camera at Earline.

The female fireball took off after him and Cook turned to flee through the crowd, but they wouldn't let him pass, thinking he was trying to squeeze up close to the TV set, where he could better watch the game. That's where Earline caught him. With her mightiest blow of the day, she whopped Cook, who weighs about a hundred and thirty-five pounds, across the back. The wind whooshed out of his lungs, but he couldn't fall; there were too many people standing in the way.

Alabama National Guardsmen rescued Cook and jailed Earline for public drunkenness. Colonel Brown heard of the incident and considered it unfunny. He so informed Green.

From that date onward, Sergeant Green never again asked to have his picture taken or his name put in the paper.

Guardsmen were faced with two distinct difficulties, both of which they handled quickly, quietly, and effectively.

They ran head on into the first when they began questioning prostitutes and B-girls. Any time one of the Guardsmen, in pursuit of his duty, entered the house of one of these ladies of the night, the telephone would ring at Guard headquarters with the information that Guardsmen were out entertaining themselves. This was only one of the ways the underworld attempted to hit back. One Guardsman was framed, to be caught in bed with a woman, but the plot didn't

work. Mobsters used their familiar rumor system to circulate reports that Guardsmen had taken \$2,500 in watches from a joint they were protecting. Besides being slanderous, this was ridiculous. No store in Phenix City had \$2,500 worth of watches.

The other headache was in making arrests without due process of law. It was sometimes necessary to toss someone into the clink before a warrant for his arrest was prepared. The Guard felt it was in a unique position and had to meet conditions with unique action. The arrests were made and then needed paper work drawn up.

In all instances, the Governor backed Guardsmen to the hilt.

The Guard pulled a coup the morning it arrested Mayor Elmer Reese. Reese had journeyed to Birmingham to be present at the State Democratic Executive Committee meeting, at which nominations of all Russell County officials were going to be voided.

Special Solicitor George C. Johnson, afraid that some of the big fish might not return if once they left town, issued warrants for Reese's arrest and asked that he be returned to Phenix City. Warren departed from Phenix City about midnight. At 2:00 A.M., he knocked on Reese's door, at the Redmont Hotel in Birmingham, where he served the Mayor with a writ of arrest for neglect of duty.

Reese was stunned.

All the way back to Phenix City, he pondered the fate that had caused him to be arrested in Birmingham.

"I would've returned," he kept mumbling.

Reese was placed in the county jail. The shock of it threw him into a panic. He hadn't seen any of his friends since the arrest and he didn't know what he should do.

Warren, aware that the cleanup could operate more smoothly if Reese was out of office, asked him if he was ready to resign. Reese instantly agreed, on condition the charges against him be dropped. He did not request immunity from future arrest; all he desired was to get out of jail and have

the present accusations cancelled. Warren said he would see what could be done.

He called on Solicitor Johnson, but the solicitor refused the offer. He said the State of Alabama could not make deals. Later, after Reese had conferred with his cronies and they told him what to do and put some meat in his backbone, he denied ever having offered to resign.

The Grand Jury later recommended Reese's impeachment and he resigned before being brought to trial on the accusations.

A stumbling block in the way of adequate administration of justice was the lack of criminal records in either the city or the county. To rectify this, Captain Wiman set up a filing system on individuals and organizations.

The sheriff's office had maintained no background on anyone. Sheriff Mathews and Chief Deputy Albert Fuller had carried correspondence in their pockets or tossed letters into odd drawers of the lone filing cabinet in the office. Technical reports from the state toxicologists were scattered or lost.

City records were just as bad, if not worse. Wiman said it was likely the city files were rifled before the Guard assumed command and those pertaining to more prominent personages removed. The only records found were those listing offenses of the small fry. During his stay in Phenix, Wiman and his staff compiled an index of more than seven hundred and fifty persons and places.

The Alabama National Guard, both ground and air, distinguished itself in Phenix City in a situation without parallel in American history.

Guardsmen, without interrupting the civil administration, took possession of the city and county's law enforcement agency; confiscated an estimated five hundred and fifty gambling devices; padlocked dozens of illegal joints; jailed more dozens of individuals; protected citizens fearful of a vengeful mob; foiled opposition spies with counter-spies; solved old crimes, and brought out for public view a vision of Phenix

City the state and country had never witnessed or even suspected. The only crime the Guard did not handle was the Patterson murder; it being under the Attorney General's office.

For Guardsman who served in Phenix City for at least thirty days, there was a "Civil Disturbance Medal," designed by Colonel Jack Parsons of Montgomery. On the face of the medal was emblazoned a lighted torch from which were suspended the scales of justice. The white and green ribbon accompanying the medal signified purity and police action.

Guardsmen who served in Phenix City are not likely to forget their experiences, and their medals will forever remind them that conspiracy and corruption are around the next corner, and of their victory against these forces.

From original rosters of July 22, 1954, and other sources, the names of many of the men called to active duty in Phenix—other than those already identified—are listed below as a permanent tribute to what the Guard can do:

From Birmingham—Major William M. Harvill; Captains Willis T. Miree, DeVane Williams, and John Malloch; First Lieutenants Rosamond H. McDuff and Sam R. Steel, Jr., and Second Lieutenant Preston A. Bristow.

Master Sergeants James H. Acton, Robert E. Battles, Alfred K. Hall, William H. Hall, Lee M. Neaves, John O. Spinks, Adolph L. Turk, and Benesdene L. Strawn; Sergeants First Class Joseph D. Dean, Virgil O. Dennis, Joseph T. Davis, Charles T. Doran, and Newton D. Chandler; Technical Sergeant Walter Nicholson, Jr., and Sergeants Noah Mensi and Jeroyl D. South.

From Jasper—Sergeants First Class Harvel Herald and J. T. Sparks.

From Bessemer—Staff Sergeant Fred Ross, who served as a jailer.

From Calera—Master Sergeant Hobson G. Searcy; Sergeants First Class Barney L. Henderson and James E. Reach, and Sergeant Reese C. Blewster.

From Union Springs—Master Sergeant Reynolds G. Cook and Sergeant James M. Driggers.

From Montgomery—Colonel Judson I. Snead; Captain Emmett S. Davis; Chief Warrant Officer Worthy J. Seale, and Warrant Officers James M. Barnes and Curtis H. Jackson; Master Sergeants Clifton C. Hobbs, R. C. Houlton, Jack Clifford, Irby Garner, and Lowery P. James.

Sergeants First Class Coburn W. Bence, Brantley Godwin, Roy H. Houlton, Henry O. Rushing, Horace S. Walker, James S. Yarbrough, and William L. King; Sergeants Biffle L. Adams, John C. Bruner, Aaron T. Bryant, D. W. Kennedy, Elisha R. Crew, and James L. Lowery; Corporals Davis W. Dean, Ollie M. Killough, and Ralph H. J. Lurie; Private First Class Thurston D. Doran, and Private Tommy E. McGehee.

From Phenix City—Major Edward E. Mullis; Captain Lucius S. Wood, Jr.; Chief Warrant Officer Harold A. Dudley; Warrant Officer Robert R. Hagen; Master Sergeants George P. Aster, Charles H. Garden, Wayne S. Gilliland, and L. T. Ray; Sergeants First Class Emory P. Bailey, Billy D. Harris, George W. Nason, and Richard M. Nason; Corporals Marshall D. Cannon, James E. Davis, and Samuel L. Mullin; and Privates Bobby F. Coker, William L. Darnell, Charles D. Caldwell, Lonnie G. Hamilton, Billy E. Harrell, Enoch D. Burkett, Milton R. Holman, John G. Lane, James D. Maloy, H. T. Oliver, and Cary F. Rumph.

From Lineville—Sergeant Ellis B. Daugherty; and Corporals Leonard W. Brand and Huey D. Watts.

From Ashland—Master Sergeant Malcolm F. Beverly.

From Enterprise—Sergeant Willis R. Reeves.

From Jacksonville—Sergeant Ray Wheeler.

From Gadsden—Staff Sergeant Jerry F. Reeves.

From Boaz—Master Sergeant Billy R. Coby.

From Talladega—Sergeant Billy Ray Morris.

From Center—Sergeant First Class H. R. Bradley.

From Lanett—Second Lieutenants Harvey R. Gray, Roy L. Hill, Jr., and Roland Sevigny; Warrant Officer John M.

Dunn, Sr.; Master Sergeants William M. Cole, Elmer R. Hanners, Jack Kennedy, Junior L. Lashley, and Clyde W. Osborne; Sergeants First Class Edward F. Colley, Harry L. Colley, William T. Lauderdale, William E. Mathis, and James G. Yates, Jr.; Sergeants Edward C. Britt, William F. Cawley, James T. Hendry, John W. Hudmon, Charles W. Jennings, Carl R. Smallwood, Charles H. Sterns, and Maurice G. Wright; Corporals Royce H. Hendrix, Gerald W. Pitts, Ralph H. Powell, Wesley D. Smith, Jesse V. Williams, George E. Wilson, and Thomas D. Yates; Privates Howard D. Cole, Bernard Carter, Marion W. Duffey, Jerry M. Hubbard, Curtis A. Mayo, Gerald L. Brown, Jimmy E. Holmes, Clark M. Hill, Billy Lackey, Bruce S. McCarthy, and W. T. Robertson.

Guardsmen remained in Phenix City until Governor Persons' term expired on January 17, 1955, at midnight. The last contingents began leaving slowly a few days prior to that hour but a handful of men stayed until the end.

And the last man out was one of the first two officers to enter: Lieutenant Colonel Jack Warren of Birmingham.

OUTLOOK DISCOURAGING

DON'T MAKE ANY BETS—no matter what the odds—that Phenix City will remain clean.

Certain safeguards have been taken to make it more difficult for the home-grown crooks to return to power. These provisions, unfortunately, do not guarantee that right is might and wrong, once beaten, shall not rise again. The late Albert Patterson had a saying which his son, John, now has posted in his office in the Judiciary Building at Montgomery where he has offices as Alabama's Attorney General.

The only thing needed for the triumph of evil, goes the saying, is that good men do nothing.

In Phenix City the good men will be watching. They have learned their lesson the hard way. They do not want it to happen again.

But in a sense the good men will be on the defensive. They do not know when the trouble shall arise, nor where, nor in what form. It may be so innocuous they do not even recognize it at first. Or, it may come from a quarter in which they have no authority.

Of this, there can be no doubt:

The fight to clean up Phenix City and keep it clean is not ended.

Among the chief sources to watch in anticipation of trouble is an ornate room on the first floor of the State Capitol Building where James E. Folsom now reigns as Governor. Before he was in office a week he had indicated that the way was being paved to give the forces of evil a chance at a comeback.

He denounced "Blue Ribbon" Juries. And he followed by refusing to re-appoint members of the jury commission, which alone has the power to see that juries are not stacked by the underworld.

Alabama is afflicted with a large segment of its population who have "Folsomania," who believe that "Big Jim" can do no wrong. There also is a strong anti-Folsom element, but chief among the Governor's admirers is himself.

He is a likable, vague, shrewd, unlearned, smart demagogue who pretends to do much for the people—and sometimes does—but often pays no attention to their demands. As proven in his first administration, he can go for months without conceding to public opinion or pressure. Because of the manner in which he was elected, he can and will go his own rash way.

Folsom is less sensitive to newspaper pressure than most public officials, delighting in pushing off his own shortcomings and much of the troubles of the masses on "them lying newspapers."

Most people, even Folsom's enemies, concede that this towering giant from northwest Alabama has an unprecedented chance for good or evil in the administration that is just beginning. His admirers and well-wishers say that Big Jim is a changed man and will make an outstanding chief executive. This is in line with the Governor's campaign promises.

But all actions to date indicate that, while he has some good men with him, he is surrounding himself also with several of the same sly, selfish groups that made his first administration a gigantic bungle.

As to what Folsom is likely to do about Phenix City, it is not unfair to point out that he was one of the chief beneficiaries from a state-wide vote fraud in 1954, the focal point of which was Phenix City. A week before election day, Folsom campaign workers were beating the bushes all over the state with the theme that "if we can change just five votes in each box in the state, Big Jim will go in without a runoff."

The manner of "changing five votes" was not clearly defined in most instances. But the authors know of persons who were approached and offered jobs in the administration if they would undertake to insure the switching of votes in their own voting precincts. They were admonished to go out

and tell their friends it meant a lot to them, personally, for Folsom to be elected without a runoff.

A week before election day, the Folsom forces apparently felt they had the election in the bag. Some of those closest to Big Jim began taking bets that their campaign would sweep the field on May 4.

Not only did they win their bets on Folsom, but the king-sized Governor managed in the month between runoff primaries to take with him to Montgomery enough legislators to insure a majority for almost anything he decides to do, at least in the early months of his administration. If he decides to repay a political debt by making Phenix City again the good time town for Fort Benning, he can go far in carrying out that plan.

One of the most discouraging developments is that National Guardsmen no longer feel free to discuss Phenix City publicly. The subject is not a popular one at Guard headquarters in Montgomery.

The joints that have been closed for the last few months are still there and could be made ready for business in short order. The word is out among the gambling fraternity in Birmingham and Montgomery that they will be able to get action in Phenix City before the end of 1955. Sheriff Lamar Murphy and Solicitor James Caldwell won't be shoved around, though, and will make it tough for anyone who tries.

It may be significant that no action has yet been taken on a recommendation of the Russell County cleanup Grand Jury that an ordinance be passed prohibiting the sale of liquor or beer within two thousand feet of the former hot spots which cluster around the two bridges.

By the end of 1955, nearly all of the racket figures who were sent to Kilby Prison will be back in Phenix City. Most of them know nothing but gambling and haven't earned an honest dollar in their lives. They will be unhappy in enforced idleness, and since most of them are home-grown products, they may hesitate to leave the area where they once had everything their own way.

Such men as Gamblers Jimmy Matthews and Hoyt Shepherd and ex-Public Official Arch Ferrell are not the types who will sit back and take the wrecking of an empire calmly. They are tough-skinned schemers who are as used to a rose bush full of thorns as they are to having a cortège of human puppets who dance when they pull the strings.

Of particular concern should be the haste with which officials wanted the "off limits" ban lifted from their community so Fort Benning could enter the area. Any man in public office would desire the same as would most citizens.

In Phenix, the situation is quite different.

Raising the off limits restriction cannot, at this time, do the city much good. It has nothing to offer a soldier that the GI cannot obtain quicker in Columbus, Georgia. Phenix City has no stores, no markets, no businesses to compete with those in Columbus.

All it could offer the dogface in the past were women, sin, and corruption. For the moment it has little of that, but when a thousand soldiers seek, some shall find because it is human nature for a dollar-hungry civilian to provide for the easy-come easy-go GI.

A few new buildings are being erected in the area and a new industry or two has indicated it will settle in Phenix. With lifting of the off limits ban, a new future could unfold in the town on the river banks. The officials have asked it. The Governor has requested it. The military has granted it.

That puts the responsibility right where it should be: on the men who wanted the restriction removed.

Among the cleanup squad is a man named James Caldwell, newly elected as solicitor in place of Ferrell. Of all the officials, Caldwell is the one with the best reputation for honesty, integrity, determination, and intelligence. He is "straight as an arrow."

It will be his job to prosecute law violators, once they are arrested by county and city police. The lawmen must not ignore even a slight violation. Their task will not be easy,

but only by constantly pulling in the men and women who break the law can they hope to discourage the evildoers.

Even this will not be enough if Circuit Judge John B. Hicks runs his court sloppily. A machine member himself, the judge already has predicted that Phenix will return to its transgressions of old, hardly a statement calculated to uphold justice when the judge admits apathy and a tendency to backslide. He also has recently decreed that men who served on the cleanup juries cannot have their names entered again in the current jury box.

The new sheriff, Lamar Murphy, has proved himself as a lawman. An ex-prize fighter, he is a man of physical courage and has a violent dislike for the mobsters. He was the man who found the two main witnesses to the Patterson murder. Murphy might be just what the town needs to hold the line against the pressures that are sure to come. Gambling and prostitution cannot be conducted on an organized scale without the knowledge of law enforcement officers.

The new police chief, Pat Mihelic, is a former member of the Alabama Highway Patrol. He worked the Phenix City area for several years prior to the cleanup, and his knowledge of the crooks and their operations could be highly valuable if he makes an all-out effort to enforce the law. Chief Mihelic is considered a middle-of-the-roader, having wide acquaintances on both sides of the fence. He is yet to be really tested.

As State Attorney General, John Patterson will be in an excellent position to keep his hometown from drifting back into the sins of the past. He wants a staff of his own investigators to help with the job. This could be blocked by an unfriendly administration in Montgomery, since Patterson must depend for funds on a Folsom-dominated legislature.

It is always easier to slip back into old habits than to form new ones. There are hundreds of former "bug" writers not working now, who would like nothing better than to resume their interrupted careers. The bug tried to crawl back even under the watchful eyes of National Guardsmen. What will happen with this force gone?

The present Board of County Commissioners is the same one that existed before the cleanup. Since they were elected under the rigged system, they cannot be regarded as divorced from the old machine. The Board of Registrars will be appointed by Folsom, and two other state office holders, and will hold the key to keeping voters' lists clean. A stacked voters' list could mean a crooked election, and one election is all the old crowd needs to be back in business at the same old stand.

A jury commission, which Folsom appointed, will have nearly unlimited discretion in saying who shall serve as jurors in the courts of Russell County. A corrupt jury box could make a farce of justice just as it did in the days when Shepherd was selecting Grand Juries by telephone.

The circuit court clerk, the probate judge and the sheriff compile the list of poll workers for elections. If they get the wrong crowd in charge of election machinery again, the fate of Phenix City is sealed.

Teen-agers are growing into adults and within a few years they will be in the saddle. These are the same children who, in a poll at the schools, decided they saw nothing wrong with their town as it existed prior to the cleanup.

In Montgomery, the night before Folsom was inaugurated, France Knighton, operator of The Golden Rule, and Homer D. Cobb, Jr., son of a former Phenix City mayor, paid their respects to State Senator Broughton Lamberth, president *pro tem* of the State Senate and Folsom's Senate floor leader. Cobb was in Montgomery in his capacity as a member of the State Democratic Executive Committee which was to meet the following day. The reason for Knighton's visit may have been nothing more than social, but he had, he said, free access to Lamberth's room and came and went a half dozen times.

These two Phenix City figures visited Lamberth in the latter's hotel room where other friends and acquaintances had gathered. It should be a cause for worry that these two

men would appear to be on such familiar and friendly terms with a high administration leader.

All you've got to do in Phenix City is change the entire way of life of a complete community. All the gamblers and crooks want is office, power, influence, authority, control. The scales don't look too well balanced. The future of Phenix City is very much in doubt.

XXV

IT CAN HAPPEN AGAIN

WHAT HAPPENED IN PHENIX CITY could take place—and has to lesser degrees—in other American cities.

When the few Phenixians who had guts enough to face the evil and fight it woke up to the realization of the true state of affairs in their city, the government was no longer theirs. The government belonged to the racketeers and the crooked politicians.

What this meant to the average, honest, God-fearing, hard-working, family-loving citizen is difficult for a stranger to grasp. Most strangers wouldn't be concerned enough to understand it anyway because it requires thinking, and working, and worrying about a matter too far removed—in miles—from home.

But it meant this:

John Doe had no law protection. Sure, there were cops, but the cops weren't concerned with the problems of Mr. Doe.

John did not get the city services for which he paid. The streets were run-down; the sewer system was in foul condition; the water system was inadequate and garbage collection set no examples.

Mr. Doe couldn't expect equal and exact justice to all regardless of race, creed or color. If he went to court he could expect that the decision would go in favor of the mob, no matter what the evidence.

It is easy to imagine what it was like when he had a legal entanglement. In the first place, the Sheriff would have to serve the legal papers on Mr. Doe's opponent, and maybe the Sheriff never would find time for that.

If the case got into court, he might find himself hamstrung immediately by adverse rulings that would keep him from ever getting to present testimony before a jury.

When Mr. Doe got into court he could find that his wit-

nesses suddenly had lost interest in testifying, or their memories of facts had become hazy or confused.

When the case got to the jury, it was considered by twelve men, several of whom were either members of the machine or owed allegiance to it. Others were often afraid to have it known that they voted in opposition to a matter of interest to the racket bosses.

There were many unprincipled people in Phenix City. Families passed the heritage of illegality from generation to generation. In some families, sons turned against fathers and brother against brother as one chose the mob and the other picked the righteous.

Many good people simply turned their heads in an attempt to ignore that which surrounded them.

That which happened in Phenix City should prove that democracy is not an inalienable right which protects itself by its very being. It can be usurped. It can be stolen. It is more difficult to regain than it is to lose, and there always are those, both at home and abroad, ready to take it and change it into a device for their own gain and to satisfy their own greed for power or profit.

The authors of PHENIX CITY do not wish to preach.

Yet preach they must for they have seen the greatness and the majesty and the beauty and the glory that is Democracy trampled and disgraced and defiled. To see freedom lost is to see slavery triumph. There is no middle point. Either you have liberty or you have chains.

In today's fast-moving society, few people pause long enough to examine carefully and with insight the health of their government at home. When they find, as did the people of Phenix, that their precious liberties have been snatched from them and that their properties and very lives are in danger, they panic.

Stop for a few minutes now, Mr. and Mrs. America, and apply to your own city or county the few simple tests which will show you whether your own city might be slipping into the quagmire of crime and political corruption.

If it does not pass the test to your complete satisfaction, do something about it before it is too late. A little effort and civic fervor on your part now can save you much grief and injury later.

Here are the tests. Together they form a yardstick by which you will be able to measure accurately the state of your city's political health.

1. Look at your jury rolls. Is sufficient diligence used in the selection of jurors to insure that good men and true will try the cases that come into your courts? Are there known criminals or racket figures on the juries? That is a danger sign.

2. Are your registration lists purged at regular intervals, and kept free from "tombstone voters" and persons who have long since moved from your community? An unpurged voters' list offers excellent opportunity for criminals or political fixers to vote their own people under the names of those inactive registrants.

3. Does your government award contracts for materials and services on the basis of competitive bids or by political favoritism? Watch this closely. It offers a fertile field for official corruption, which in turn leads to open disregard for law.

4. Are municipal meetings and all court proceedings open to the public, and are public records made available on request? When politicians make decisions behind closed doors, and when records are kept hidden from public view, you are well on your way toward losing your personal freedoms and control of your local government.

5. Look closely at the personal habits of the people you elect to serve you. See whether law enforcement officers live within, or beyond, their means. When a cop makes \$400 a month and spends twice that amount on fine automobiles, homes, clothes and high living, you may have in your midst a hoodlum in uniform—by far the most dangerous of the breed. If law enforcement officers or public officials receive warm support and campaign contributions from racketeers, be safe—throw the rascals out! Close social contacts between

your elected officials and unsavory elements—regardless of position or income—should be a danger signal to you.

Your rights and liberties were hard earned by those who passed to you a sacred trust to keep. Lose them, and you have betrayed that trust and betrayed your children who will step into your place.

When you have carefully read this book, take a tour around your City Hall and Courthouse. Talk to your elected officials and your law enforcement officers. Attend municipal meetings. Look over your jury list at the next term of court. Ask your Board of Registrars when the voters' list has been purged. Then keep in mind that what happened in Phenix City can happen in your town—indeed, it may already be later than you think.